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HOUSE JOURNAL

OF THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF NEBRASKA.

EIGHTH SESSION.

BEGUN AND HELD AT OMAHA CITY, DECEMBER 2, A.D. 1861.

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HOUSE JOURNAL

OF THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF NEBRASKA.

House of Representatives,
Monday, December 2, 1861.

In pursuance of law, the Legislative Assembly of the Territory of Nebraska met in eighth regular session, at the capitol, on Monday, December 2, A. D. 1861.

The house was called to order by Mr. Griffin, of Douglas, at two o'clock, P. M.

On whose motion George L. Seybolt, of Cass, was elected chief clerk *pro tem.*

The following named persons presented their credentials, claiming seats:

L. Allgawahr, E. A. Allen, E. W. Barnum, E. H. Barnard, B. Bates, Enos Beall, W. P. Birchfield, Nathan Blakely, John S. Bowen, W. Buchanan, David Butler, Aaron Cahn, W. F. Chapin, James Chalfant, J. Closser, M. H. Clark, Henry T. Clarke, John Crothers, George Crow, J. H. Croxton, Oscar F. Davis, Samuel Eikenberry, J. S. Ewing, Joel T. Griffin, R. M. Hagaman, A. S. Holladay, A. D. Jones, N. B. Larsh, S. T. Leaming, Daniel McLaughlin, C. O'Conner, H. B. Porter, John Reck, W. D. Rowles, James H. Seymour, Stephen H. Wattles, Isaac Wiles.

On motion of Mr. Griffin, of Douglas, John S. Bowen, of Washington, was elected speaker *pro tem.*

On motion of Mr. Wattles, of Sarpy,
The standing rules of the last session were adopted for the government of the house until otherwise ordered.

On motion of Mr. Seymour, of Douglas, William F. Sweesy, of Douglas, was elected sergeant-at-arms *pro tem.*

On motion of Mr. Reck, of Platte, John Wolful was elected doorkeeper *pro tem.*

On motion of Mr. Seymour, of Douglas, Isham Reavis was elected assistant clerk *pro tem.*

Mr. Croxton, of Otoe, moved the election of a committe of five on credentials.
Carried.

Messrs. Clark, of Douglas, and Larsh, of Otoe, were appointed tellers.
Nominations being in order,
The following named gentlemen were nominated:
Messrs. Jones, Hagaman, O'Conner, Porter, Butler, Leaming, Croxton and Holladay.

The house proceeded to ballot with the following result:
Mr. Jones received 27 votes.
Mr. Holladay received 22 votes.
Mr. Clarke, of Sarpy, received 22 votes.
Mr. Porter received 20 votes.
Mr. Croxton received 18 votes.
Mr. Butler received 16 votes.
Mr. Leaming received 16 votes.
Mr. O'Conner received 15 votes.
Mr. Hagaman, received 7 votes.
Mr. Reck received 3 votes.
Mr. Reynolds received 3 votes.
Mr. Bates received 3 votes.
Mr. Crothers received 1 vote.
Mr. Beall received 1 vote.
Mr. Barnum received 1 vote.
Mr. Blakely received 1 vote.
Mr. Larsh received 1 vote.

Messrs. Jones, Holladay, Clark of Sarpy, and Porter having received a majority of all the votes cast, were declared duly elected.

On motion, the house proceeded to the election of the remaining member of the committee, with the following result:

Mr. Butler received 30 votes.
Mr. O'Conner received 2 votes.
Mr. McLaughlin received 1 vote.

Mr. Butler having received a majority of all the votes cast, was declared duly elected.

On motion of Mr. Seymour, of Douglas,

The committee on credentials were instructed to retire and examine the credentials of members, and report as soon as practicable.

Mr. Clark, of Douglas, moved,

That the reporters for the different papers in the city be admitted to seats within the bar of the house.

Carried.

Mr. Jones, chairman of the committee on credentials, submitted the following report:

Mr. Speaker: The committee on credentials, to whom were referred the credentials of the several members elect of this house, had the same under consideration, and requested us to report that they have found the following named gentlemen elected to seats within this house as members of the same, and ask that the committee be discharged:

Richardson county—L. Allgawahr, J. S. Ewing, H. B. Porter.
Nemaha—A. S. Holladay, George Crow, William Reed, John Crothers.
Pawnee—David Butler.
Johnson, Clay, and Gage—Nathan Blakely.
Otoe—M. W. Reynolds, J. H. Croxton, J. Closser, W. P. Birchfield, W. Buchanan, N. B. Larsh.
Cass and Lancaster—S. Eikenberry, Isaac Wiles, James Chalfant, Wm. F. Chapin, E. W. Barnum.
Sarpy—W. D. Rowles, Stephen H. Wattles, Henry T. Clarke.
Douglas—James H. Seymour, Joel T. Griffin, A. D. Jones, Merrils H. Clark, Oscar F. Davis, Aaron Cahn.
Washington—John S. Bowen, E. A. Allen.
Dodge—E. H. Barnard.
Burt—S. T. Leaming.
Dakota—C. O'Conner, B. Bates.
Dakota, Dixon, Cedar, and L'Eau qui Court—Daniel McLaughlin.
Dixon, Cedar, and L'Eau qui Court—Robert M. Hagaman.
Platte, Green, Calhoun, and Butler—John Reck.
Hall and Monroe—Enos Beall.

On motion of Mr. Clark, of Douglas,
The report was adopted.

On motion of Mr. Allen, of Washington,
A committee of three was appointed to wait upon the secretary of the territory and request him to administer the oath of office to the members elect.

Messrs. Allen, Chalfant and Davis were appointed said committee.

Whereupon secretary Paddock appeared in the house and administered the oath to the members elect.

On motion of Mr. Griffin, of Douglas,
The house proceeded to the election of speaker.

Nominations being in order,
The following named gentlemen were nominated:
Mr. Larsh nominated Mr. Reynolds.
Mr. Davis nominated Mr. Seymour.
Mr. Holladay nominated Mr. Jones.
Mr. Allen nominated Mr. Croxton.

Mr. Croxton stated that his delegation had previously withdrawn his name as a candidate for Speaker, and that he felt bound by their action.

He accordingly declined the nomination.

The roll being called, the vote stood as follows:

For Mr. Jones—Messrs. Barnard, Bowen, Butler, Cahn, Crow, Hagaman, Holladay, Porter, Seymour, Wattles—10.

For Mr. Reynolds—Messrs. Barnum, Bates, Birchfield, Buchanan, Chalfant, Closser, Clarke of Sarpy, Croxton, Eikenberry, Larsh, Rowles—11.

For Mr. Seymour—Messrs. Allgawahr, Beall, Blakely, Chapin, Crothers, Davis, Ewing, Griffin, Jones, Reck and Wiles—11.

For Mr. Bates—Messrs. Allen, Clark of Douglas, Leaming, McLaughlin, O'Conner and Reynolds—6.

No person having received a majority of all the votes cast, the house proceeded to a second ballot, with the following result:

Roll being called the vote stood as follows,

For Mr. Jones—Messrs. Barnard, Bowen, Butler, Cahn, Clarke of Sarpy, Crothers, Hagaman, Porter, Seymour and Wattles—10.

For Mr. Reynolds—Messrs. Allen, Barnum, Bates, Birchfield, Buchanan, Chalfant, Closser, Clark of Douglas, Crow, Croxton, Eikenberry, Holladay, Larsh, Rowles—14.

For Mr. Seymour—Messrs. Allgawahr, Beall, Blakely, Chapin, Davis, Ewing, Griffin, Jones, Reck and Wiles—10.

For Mr. Bates—Messrs. Leaming, McLaughlin, O'Conner, Reynolds—4.

No person having received a majority of all the votes cast, the house proceeded to a third ballot.

Roll being called the vote stood as follows:

For Mr. Seymour—Messrs. Allgawahr, Beall, Blakely, Chapin, Crothers, Davis, Ewing, Griffin, Jones, Leaming, Reck, Wattles and Wiles—13.

For Mr. Jones—Messrs. Barnard, Bowen, Butler, Cahn, Crow, Hagaman, Porter and Seymour—8.

For Mr. Reynolds—Messrs. Allen, Barnum, Bates, Birchfield, Buchanan, Chalfant, Closser, Clark of Douglas, Clarke of Sarpy, Croxton, Eikenberry, Holladay, Larsh and Rowles—14.

For Mr. Bates—Messrs. McLaughlin, O'Conner, Reynolds—3.

No person having received a majority of all the votes cast, the house proceeded to a fourth ballot, with the following result:

The roll being called the vote stood as follows:

For Mr. Jones—Messrs. Barnard, Bowen, Butler, Cahn, Crow, Hagaman, Holladay, McLaughlin, Porter, Seymour, Wattles—11.

For Mr. Seymour—Messrs. Allgawahr, Beall, Blakely, Chapin, Clarke of Sarpy, Crothers, Davis, Ewing, Griffin, Jones, Reck and Wiles—12.

For Mr. Reynolds—Messrs. Allen, Barnum, Bates, Birchfield, Buchanan, Chalfant, Closser, Clark of Douglas, Croxton, Eikenberry, Larsh, Leaming, O'Conner and Rowles—14.

For Mr. Bates—Mr. Reynolds—1.

No person having received a majority of all the votes cast, the house proceeded to a fifth ballot, with the following result:

For Mr. Jones—Messrs. Barnard, Bowen, Butler, Cahn, Crothers, Crow, Hagaman, Holladay, McLaughlin, Porter, Seymour and Wattles—12.

For Mr. Seymour—Messrs. Allgawahr, Beall, Blakely, Chapin, Clarke of Sarpy, Davis, Ewing, Griffin, Jones, Reck and Wiles—11.

For Mr. Reynolds—Messrs. Allen, Barnum, Bates, Birchfield, Buchanan, Chalfant, Closser, Clark of Douglas, Croxton, Eikenberry, Larsh, Leaming, O'Conner and Rowles—14.

For Mr. Bates—Mr. Reynolds—1.

No person having received a majority of all the votes cast, there was no election.

Mr. Griffin, of Douglas, moved to adjourn till to-morrow morning at 10 o'clock, A. M.

Carried.

GEORGE L. SEYBOLT, Chief Clerk *pro tem.*

HOUSE OF REPRESENTATIVES,
Tuesday, December 3, 1861.

House met pursuant to adjournment.
Mr. Bowen, Speaker *pro tem.*, in the chair.
Journal of yesterday's session read and approved.

Mr. Seymour, after thanking his friends for their cordial support, withdrew his name as a candidate for Speaker.

House then proceeded to a sixth ballot for Speaker.

Roll being called, the vote stood as follows:

For Mr. Jones—Messrs. Allgawahr, Allen, Barnum, Barnard, Beall, Blakely, Bowen, Butler, Cahn, Chapin, Chalfant, Clark of Douglas, Clarke of Sarpy, Crothers, Crow, Croxton, Davis, Eikenberry, Ewing, Griffin, Hagaman, Holladay, Leaming, McLaughlin, O'Conner, Porter, Reck, Rowles, Seymour, Wattles, and Wiles.—31.

For Mr. Reynolds—Messrs. Bates, Birchfield, Buchanan, Closser and Larsh.—5.

For Mr. Bates—Mr. Reynolds.—1.

Mr. Jones having received a majority of all the votes cast, was declared duly elected Speaker.

On motion, a committee of two, consisting of Messrs. Griffin and Reynolds, were appointed to conduct the Speaker to the chair.

On motion of Mr. Griffin, of Douglas,

The house proceeded to the election of Chief Clerk.

Messrs. Geo. L. Seybolt of Cass, F. C. Morrison of Otoe, and Geo. L. Roberts of Cedar, were put in nomination.

Roll being called, the vote stood as follows:

For Mr. Seybolt—Messrs. Allgawahr, Allen, Barnum, Barnard, Beall, Blakely, Bowen, Butler, Chapin, Chalfant, Clarke of Sarpy, Crothers, Croxton, Davis, Eikenberry, Ewing, Griffin, Hagaman, Holladay, Leaming, O'Conner, Porter, Reck, Rowles, Seymour, Wattles, Wiles and Mr. Speaker.—28.

For Mr. Morrison—Messrs. Birchfield, Buchanan, Cahn, Closser, Clark of Douglas, Crow, Larsh and Reynolds.—8.

For Mr. Roberts—Messrs. Bates and McLaughlin.—2.

Mr. Seybolt having received a majority of all the votes cast, was declared duly elected.

On motion of Mr. Holladay, of Nemaha,

The house proceeded to the election of Assistant Clerk.

James W. Virtue of Dakota county, Isham Reavis of Richardson, Hugh McNeely of Washington, Stephen D. Bangs of Sarpy, and Jas. W. Hollingshead of Pawnee, were placed in nomination.

Roll being called, the vote stood as follows:

For Mr. Virtue—Messrs. Bates, Birchfield, Buchanan, Cahn, Clark of Douglas, Croxton, Davis, Hagaman, Leaming, McLaughlin, O'Conner and Reynolds.—12.

For Mr. Hollingshead—Messrs. Blakely, Butler, Chalfant, Crow, Eikenberry, Holladay and Wiles.—7.

For Mr. Reavis—Messrs. Allgawahr, Barnard, Crothers, Ewing, Griffin, Porter, Reck, Seymour and Wattles.—9.

For Mr. McNeely—Messrs. Allen and Bowen.—2.

For Mr. Bangs—Messrs. Barnum, Beall, Chapin, Closser, Clarke of Sarpy, Larsh and Rowles.—7.

No person having received a majority of all the votes cast, the house again proceeded to ballot, with the following result:

For Mr. Virtue—Messrs. Bates, Birchfield, Buchanan, Cahn, Clark of Douglas, Croxton, Davis, Hagaman, Leaming, McLaughlin, O'Conner and Reynolds.—12.

For Mr. Reavis—Messrs. Allgawahr, Barnard, Beall, Chapin, Crothers, Ewing, Griffin, Porter, Reck, Seymour and Wattles.—11.

For Mr. Bangs.—Messrs. Barnum, Closser, Clarke of Sarpy, Larsh and Rowles.—5.

For Mr. Hollingshead—Messrs. Blakely, Butler, Chalfant, Crow, Eikenberry, Holladay and Wiles.—7.

For Mr. McNeely—Mr. Bowen.—1.

No person having received a majority of all the votes cast, the house proceeded again to ballot, with the following result:

For Mr. Virtue—Messrs. Allen, Bates, Birchfield, Bowen, Buchanan, Cahn, Chalfant, Clark of Douglas, Croxton, Davis, Eikenberry, Hagaman, Leaming, McLaughlin, O'Conner and Reynolds.—16.

For Mr. Reavis—Messrs. Allgawahr, Barnard, Beall, Chapin, Crothers, Ewing, Griffin, Porter, Reck, Seymour and Wattles.—11.

For Mr. Bangs—Messrs. Barnum, Closser, Clarke of Sarpy, Larsh and Rowles.—5.

For Mr. Hollingshead—Messrs. Blakely, Butler, Crow, Holladay and Wiles.—5.

No person having received a majority of all the votes cast, the house proceeded to another ballot, with the following result:

For Mr. Virtue—Messrs. Allen, Bates, Beall, Birchfield, Bowen, Buchanan, Cahn, Chalfant, Clark of Douglas, Croxton, Davis, Eikenberry, Hagaman, Leaming, McLaughlin, O'Conner, Reck, Reynolds and Wiles.—19.

For Mr. Reavis—Messrs. Allgawahr, Barnum, Barnard, Chapin, Crothers, Crow, Ewing, Griffin, Porter, Seymour, Wattles and Mr. Speaker.—12.

For Mr. Bangs—Messrs. Closser, Clarke of Sarpy, Larsh and Rowles.—4.

For Mr. Hollingshead—Messrs. Blakely, Butler and Holladay.—3.

No person having received a majority of all the votes cast, the house proceeded to another ballot, with the following result:

For Mr. Virtue—Messrs. Allen, Bates, Birchfield, Bowen, Buchanan, Butler, Cahn, Chalfant, Closser, Clark of Douglas, Clarke of Sarpy, Croxton, Davis, Eikenberry, Griffin, Hagaman, Holladay, Larsh, Leaming, McLaughlin, O'Conner, Reck, Reynolds, Seymour, Wattles and Wiles.—26.

For Mr. Reavis—Messrs. Allgawahr, Barnum, Barnard, Beall, Blakely, Chapin, Crothers, Crow, Ewing, Porter and Mr. Speaker. —11.

For Mr. Bangs—Mr. Rowles.—1.

Mr. Virtue having received a majority of all the votes cast, was declared duly elected.

On motion, the house proceeded to the election of Sergeant-at-Arms.

Messrs. Geo. Oliver of Sarpy, Hugh McNeely of Washington, F. C. Morrison of Otoe, and Wm. F. Sweesy of Douglas, were put in nomination.

Roll being called, the vote stood as follows:

For Mr. Morrison—Messrs. Birchfield, Buchanan, Butler, Cahn, Chapin, Chalfant, Closser, Clark of Douglas, Crow, Eikenberry, Larsh, Reynolds and Wiles.—13.

For Mr. Sweesy—Messrs. Allgawahr, Barnum, Barnard, Blakely, Croxton, Davis, Ewing, Griffin, Leaming, McLaughlin, O'Conner, Porter and Seymour.—14.

For Mr. McNeely—Messrs. Allen, Beall, Bowen, Crothers, Hagaman and Holladay.—6.

For Mr. Oliver—Messrs. Clarke of Sarpy, Reck, Rowles and Wattles.—4.

No person having received a majority of all the votes cast, the house proceeded to another vote, with the following result:

For Mr. Morrison—Messrs. Barnum, Birchfield, Buchanan, Butler, Chalfant, Closser, Crow, Croxton, Eikenberry, Holladay, Larsh, Reck, Reynolds and Wiles.—14.

For Mr. Sweesy—Messrs. Allgawahr, Barnard, Beall, Blakely, Cahn, Clark of Douglas, Davis, Ewing, Griffin, Leaming, McLaughlin and Seymour.—12.

For Mr. McNeely—Messrs. Allen, Bowen, Crothers, Hagaman and O'Conner.—5.

For Mr. Oliver—Messrs. Chapin, Clarke of Sarpy, Rowles and Wattles.—4.

No person having received a majority of all the votes cast, the house proceeded to another vote, with the following result:

For Mr. Morrison—Messrs. Barnum, Bates, Birchfield, Buchanan, Butler, Chalfant, Closser, Clarke of Sarpy, Crow, Croxton, Holladay, Larsh, Porter, Reynolds and Wiles.—15.

For Mr. Sweesy—Messrs. Allgawahr, Beall, Blakely, Cahn, Clark of Douglas, Davis, Ewing, Griffin, McLaughlin and Seymour.—10.

For Mr. McNeely—Messrs. Allen, Bowen, Crothers, Hagaman and Leaming.—5.

For Mr. Oliver—Messrs. Barnard, Chapin, Eikenberry, O'Conner, Reck, Rowles and Wattles.—7.

No person having received a majority of all the votes cast, the house proceeded to another vote, with the following result:

For Mr. Morrison—Messrs. Allgawahr, Barnum, Barnard, Birchfield, Blakely, Buchanan, Butler, Chalfant, Closser, Clarke of Sarpy, Crow, Croxton, Davis, Eikenberry, Ewing, Griffin, Holladay, Larsh, Leaming, McLaughlin, O'Conner, Porter, Reck, Reynolds and Wiles. —25.

For Mr. Sweesy—Messrs. Clark of Douglas, and Seymour.—2.

For Mr. McNeely—Messrs. Allen, Bowen, Crothers and Hagaman.—4.

For Mr. Oliver—Messrs. Bates, Beall, Cahn, Chapin, Rowles and Wattles.—6.

Mr. Morrison having received a majority of all the votes cast, was declared duly elected.

On motion, the house proceeded to the election of Door Keeper.

Messrs. John Wolful of Platte, A. Higley of Burt, Joseph Imhoff of Otoe, W. H. Ealy of Dodge, F. A. Tisdel of Richardson, and Saml. G. Beaman of Sarpy, were put in nomination.

Roll being called, the vote stood as follows:

For Mr. Wolful—Messrs. Beall, Cahn, Chapin, Crow, Croxton, Davis, Griffin, McLaughlin, O'Conner, Reck and Mr. Speaker.—11.

For Mr. Imhoff—Messrs. Birchfield, Buchanan, Closser, Larsh and Reynolds.—5.

For Mr. Ealy—Messrs. Barnard, Blakely and Seymour.—3.

For Mr. Higley—Messrs. Allen, Bates, Bowen, Hagaman, Holladay and Leaming.—6.

For Mr. Beaman—Messrs. Barnum, Chalfant, Clark of Douglas, Clarke of Sarpy, Eikenberry, Rowles, Wattles and Wiles.—9.

For Mr. Tisdel—Messrs. Allgawahr, Butler, Crothers, Ewing, and Porter—5.

No person having received a majority of all the votes cast, the house proceeded to another vote with the following result:

For Mr. Wolful—Messrs. Beall, Chapin, Crothers, Crow, Croxton, Davis, Hagaman, Holladay, McLaughlin, Reck, and Mr. Speaker—11.

For Mr. Imhoff—Messrs. Bates, Birchfield, Buchanan, Closser, Larsh, and Reynolds—6.

For Mr. Higley—Messrs. Allen, Leaming, and O'Conner—3.

For Mr. Ealy—Messrs. Barnard, Bowen, Griffin, and Seymour—4.

For Mr. Beaman—Messrs. Barnum, Clark of Douglas, Clarke of Sarpy, Eikenberry, Rowles, Wattles, and Wiles—7.

For Mr. Tisdel—Messrs. Allgawahr, Blakely, Butler, Cahn, Ewing, and Porter—6.

No person having received a majority of all the votes cast, the house proceeded to another vote with the following result:

For Mr. Wolful—Messrs. Allgawahr, Barnard, Beall, Blakely, Bowen, Butler, Cahn, Chapin, Crothers, Crow, Davis, Griffin, Hagaman, Holladay, McLaughlin, O'Conner, Reck, Seymour, and Mr. Speaker—19.

For Mr. Beaman—Messrs. Bates, Birchfield, Buchanan, Chalfant, Closser, Clark of Douglas, Clarke of Sarpy, Croxton, Eikenberry, Larsh, Reynolds, Rowles, Wattles, and Wiles—14.

For Mr. Higley—Mr. Leaming—1.

For Mr. Imhoff—Mr. Barnum—1.

For. Mr. Tisdel—Messrs. Ewing and Porter—2.

Mr. Wolful having received a majority of all the votes cast, was declared duly elected.

On motion the house proceeded to vote for Engrossing Clerk.

Messrs. J. W. Hollingshead of Pawnee, Isham Reavis of Richardson, E. H. Rogers of Dodge, S. D. Bangs of Sarpy, George L. Roberts of Cedar, and ——, were put in nomination.

Roll being called the vote stood as follows:

For Mr. Hollingshead—Messrs. Allgawahr, Barnard, Beall, Birchfield, Blakely, Bowen, Buchanan, Butler, Chalfant, Closser, Crothers, Crow, Eikenberry, Ewing, Holladay, Larsh, Porter, Reck, Wattles and Wiles—20.

For Mr. Bangs—Messrs. Allen, Barnum, Chapin. Clark of Douglas, Clarke of Sarpy, Croxton, Hagaman, Leaming and Rowles—9.

For Mr. Roberts—Messrs. Bates, McLaughlin and O'Conner—3.

For Mr. Reavis—Messrs. Cahn, Davis, Griffin, and Seymour—4.

Mr. Hollingshead having received a majority of all the votes cast, was declared duly elected.

On motion, the house proceeded to the election of an Enrolling Clerk.

Messrs. Isham Reavis of Richardson, S. D. Bangs of Sarpy, and E. H. Rogers of Dodge, were put in nomination.

Roll being called, the vote stood as follows:

For. Mr. Reavis—Messrs. Allgawahr, Barnum, Birchfield, Buchanan, Butler, Chalfant, Closser, Crothers, Crow, Croxton, Ewing, Griffin, Larsh, Porter, Reck, Seymour, and Wiles—17.

For Mr. Bangs—Messrs. Beall, Cahn, Chapin, Clark of Douglas, Clarke of Sarpy, Eikenberry, Hagaman, McLaughlin, O'Conner, Reynolds, and Rowles—11.

For Mr. Rogers—Messrs. Allen, Barnard, Bates, Blakely, Bowen, Davis, Holladay, Leaming, and Wattles—9.

No person having received a majority of all the votes cast, the house proceeded to another vote, with the following result:

For Mr. Reavis—Messrs. Allgawahr, Barnum, Birchfield, Buchanan, Butler, Chapin, Chalfant, Closser, Crothers, Crow, Croxton, Eikenberry, Ewing, Griffin, Larsh, Porter, Reck, Seymour, Wattles, and Wiles—20.

For Mr. Bangs—Messrs. Cahn, Clarke of Sarpy, Hagaman, Leaming, Reynolds, and Rowles—6.

For. Mr. Rogers—Messrs. Allen, Barnard, Bates, Beall, Blakely, Bowen, Clark of Douglas, Davis, Holladay, McLaughlin, and O'Conner—11.

Mr. Reavis having received a majority of all the votes cast, was declared duly elected.

On motion, the house proceeded to the election of Chaplain.

Revs. Messrs. Hart, Kuhn, Gaylord, Smith, Shinn, and Davis were put in nomination.

Roll being called, the vote stood as follows:

For Rev. Mr. Hart—Messrs Allgawahr, Allen, Beall, Birchfield, Buchanan, Butler, Cahn, Chalfant, Closser, Clarke of Sarpy, Crothers, Crow, Croxton, Eikenberry, Ewing, Holladay, Larsh, Leaming, McLaughlin, Porter, Reck, Reynolds, Wattles, and Wiles—24.

For Rev. Mr. Gaylord—Messrs. Barnum, Barnard, Blakely, Clark of Douglas, and Hagaman—5.

For Rev. Mr. Davis—Messrs. Bowen, Davis, Griffin, Rowles, and Seymour—5.

For Rev. Mr. Smith—Mr. O'Conner—1.

Rev. Mr. Hart having received a majority of all the votes cast, was declared duly elected.

On motion, the house proceeded to the election of two Pages.

Masters G. F. Orchard, H. Homan, William McCausland, J. H. Brown, E. Clark, were put in nomination.

Roll being called, the vote stood as follows:

For Master Orchard—Messrs. Allgawahr, Allen, Barnum, Barnard, Beall, Blakely, Butler, Chapin, Chalfant, Clarke of Sarpy, Crothers, Croxton, Davis, Eikenberry, Ewing, Griffin, McLaughlin, O'Conner, Porter, Reck, and Wiles—21.

For Master Brown—Messrs. Birchfield, Buchanan, Closser, Crow, and Holladay—5.

For Master McCausland—Messrs. Bates, Bowen, and Rowles—3.

For Master Clark—Messrs. Cahn, Larsh, and Reynolds—3.

For Master Homan—Messrs. Hagaman and Leaming—2.

For Master Alexander—Messrs. Seymour and Wattles—2

Master Orchard having received a majority of all the votes cast, was declared duly elected.

House proceeded to the election of a Second Page.

Master J. H. Brown—E. Clark, H. Homan, W. McCausland, and John Alexander were put in nomination.

Roll being called, the vote stood as follows:

For Master Brown— Messrs. Allgawahr, Allen, Barnard, Bates, Birchfield, Blakely, Bowen, Buchanan, Butler, Closser, Clark of Douglas, Crothers, Crow, Croxton, Ewing, Griffin, Hagaman, Holladay, Larsh, O'Conner, Porter, Reynolds, and Seymour—23.

For Master Clark—Messrs. Barnum, Beall, Cahn, Chalfant, Eikenberry, McLaughlin, Reck, and Wiles—8.

For Master McCausland—Messrs. Chapin, Clarke of Sarpy, Davis, and Rowles—4.

For Master Homan—Mr. Leaming—1.

For Master Alexander—Mr. Wattles—1.

Master Brown having received a majority of all the votes cast, was declared duly elected.

On motion, the house proceeded to the election of Fireman.

Messrs. Joseph Imhoff of Otoe, J. Rudowsky of Douglas, Lewis Driscoll of Sarpy, and John Mulvehill were put in nomination.

Roll being called, the vote stood as follows:

For Mr. Imhoff—Messrs. Allgawahr, Barnum, Bates, Birchfield, Blakely, Buchanan, Butler, Chalfant, Closser, Clarke of Sarpy, Crothers, Crow, Croxton, Eikenberry, Ewing, Holladay, Larsh, Leaming, McLaughlin, O'Conner, Porter, Reynolds, and Wiles—23.

For Mr. Rudowsky—Messrs. Allen, Bowen, Cahn, Clark of Douglas, Davis, Griffin, Hagaman, and Seymour—8.
For Mr. Driscoll—Messrs. Rowles and Wattles—2.

Mr. Imhoff having received a majority of all the votes cast, was declared duly elected.

Mr. Allen, of Washington, moved that a committee of two be appointed to wait upon the Hon. Secretary of the territory, and request him to administer the oath of office to the officers elect.
Carried, and

Messrs. Allen and Butler were appointed such committee.

Thereupon Hon. A. S. Paddock, secretary, appeared in the hall and administered the oath of office to the officers of the house.

Mr. Clark, of Douglas, moved that when the house adjourn, they adjourn until 2 o'clock, P. M.
Carried.

Mr. Seymour, of Douglas, moved that a committee of three be appointed to wait upon the council and inform that body that the house was now organized and ready to proceed to business.
Carried, and

Messrs. Seymour, Birchfield and Cahn were appointed such committee.

Mr. Croxton, of Otoe, moved that a committee of three be appointed to wait upon his excellency, the governor, and inform him that the house was organized and ready to receive any communication he may have to make.
Carried, and

Messrs. Croxton, Seymour and Davis were appointed such committee.

Mr. Wattles, of Sarpy, moved that a committee be appointed to wait upon the secretary, and make necessary arrangements for papers and postage, and report the same to the house to-morrow morning.
Carried, and

Messrs. Wattles and Clark of Douglas, were appointed such committee.

Mr. Clark, of Douglas, moved that a committee of three be appointed on rules, with instructions to confer with a similar committee of the council, if such be appointed, in reference to joint rules for the government of the two houses.

Messrs. Clark, Bowen and Barnard were appointed such committee.

On motion of Mr. Bowen, of Washington, the house at 12½ P. M.
Adjourned.

AFTERNOON SESSION—2 O'CLOCK, P. M.

House met pursuant to adjournment, and being called to order by the speaker, resumed business.

Mr. Leaming, of Burt, moved that the members proceed to draw for seats.

Mr. Holladay, of Nemaha, moved to amend, by adding, by delegation.
Lost.
Motion carried.

Whereupon the clerk prepared the slips, as instructed, after which the members drew seats for the session.

Messrs. Taylor and Belden, committee on the part of the council, approved and informed the house that the council had permanently organized by the election of
Hon. John Taffe, President.
R. W. Furnas, Chief Clerk.
Wm. Lehmer, Assistant Clerk.
J. W. Chapman, Seargant-at-Arms.
A. J. Warner, Door-keeper.
F. Renner, Engrossing Clerk.
C. F. Walther, Enrolling Clerk.
Rev. G. W. Barnes, Chaplain.
Master R. Gaylord, Page.
And that the council were ready to go into joint session.

Mr. Griffin, of Douglas, moved that a committee of two be appointed to inform the council that the house was ready to meet them in joint session.
Carried, and.

Messrs. Griffin and Reck, were appointed such committee.

The council now appeared, when the council and house of representatives went into convention.

Hon. John Taffe, President, of the council, in the chair.

On motion of Mr. Griffin, of Douglas, a committee of five, consisting of two on part of the council, and three upon part of the house, were appointed to inform the governor that the legislature is now ready to receive any communication he may have to make.

Carried, and

Messrs. Taylor and Bennet, upon the part of the Council, and Messrs. Griffin, Seymour and Davis on the part of the house, appointed such committee.

His excellency, the governor, appeared and delivered the following

MESSAGE:

Gentlemen of the Council and House of Representatives:

In conformity with a practice commenced at the organization of the first legislature of the territory, and continued by my predecessors at the commencement of each subsequent session, it becomes my duty to communicate to you such information as may have come into my possession, as the executive, which may facilitate the performance of your legislative duties; and also to share with you the responsibility of your position by calling your attention to such matters of public importance as may, in my judgment, require action at your hands.

In addressing to you this, my first official communication, I would be remiss in duty were I not to congratulate you on the auspicious circumstances under which you have convened, and to unite with you in an expression of gratitude to the SUPREME RULER OF THE UNIVERSE for the blessings which he has vouchsafed to us as a people, in warding off pestilence and famine,—in giving us almost uninterrupted health, a fruitful season and abundant crops,—in restraining the savages and giving us peace throughout our borders,—in protecting us thus far from the horrors of civil war around our own firesides, and continuing to us civil and religious freedom.

In legislating for the territory, and moulding its institutions, you should bear in mind that however small the population and interest you represent may appear, when compared with older communities, you are laying the foundations for a populous, wealthy and powerful State, that may be affected for good or evil, for many years, by the character of your labors.

Nebraska territory was organized in May, 1854, but the first legislature of the territory did not meet until January, 1855. At that time, according to a census ordered by the then acting Governor, the whole number of inhabitants in the territory amounted to about 2,700, or, to be more explicit, 2,732. Our population has increased from that period until the present as steadily and as rapidly as the most sanguine could desire; showing, when the last enumeration was made, that we had increased more than ten-fold in a little over five years; and I can see no reason why this rapid increase may not continue for many years to come, enabling us, at an early period, to add another member to the great family of the United States.

A mere glance at the map of the country will convince every intelligent mind that the great Platte Valley which passes through the heart, and runs nearly the entire length of Nebraska, is to furnish the route for the Great Central railroad which is to connect the Atlantic with the Pacific States and Territories. Through Nebraska must pass, within a few years, not only the travel and trade between the eastern and western portions of our own country, but also much of the trade and travel between the Old and the New World. The intelligent and far-seeing Telegraph Company have made this discovery already, and have located their Pacific Line and staked out the very route where they expect soon to be followed by this great highway of commerce.

But Nebraska does not depend, alone, upon her geographical position for her prosperity and wealth. She possesses a soil unsurpassed in richness and beauty, well supplied with innumerable living springs of the purest water, and a climate insuring almost uninterrupted health for both man and beast. It is manifest, therefore, that this must soon become one of the best grain-growing and stock-raising countries on the globe. Its capacity to sustain animal life, on a gigantic scale, is placed beyond all doubt by the presence of immense numbers of deer, antelope and millions of buffalo, supported by the spontaneous vegetation of our prairies and valleys, unaided by cultivation, or the care of the herdsman. A country which sustains such vast herds of wild cattle, in a state of nature, possesses the elements of exhaustless wealth, and must, in time, become a populous and powerful State.

This period may be hastened by the character of your legislation. You should endeavor, as far as possible, to render Nebraska a desirable place for homes for an industrious, intelligent and frugal people. To this end you should encourage the construction of roads, bridges, highways and railroads, and the introduction and construction of machinery to supply the varied wants of the people within our own limits.

You should, as far as possible, protect the natural growth of timber, (of which in many places there is found to be a deficient supply,) guard against its unnecessary destruction, and stimulate its cultivation. In many parts of Europe, and in some of the older communities in this country, the cultivation of timber has been fully tested, and timber crops, thus produced, have been found to be very profitable. In my opinion, the people of the territory ought to be advised and stimulated to engage in this work on an extensive scale; and the sooner they are induced to set about it the sooner our vast prairies will be put in a state of cultivation, and be made to yield a profit to the owners, and prove a blessing to the country at large.

It will be your duty as far as possible, to protect the interests of the agricultural classes, by such legislation as our rapidly changing condition may demand,—by encouraging the production of approved varieties of grain, grasses and fruits; the introduction of improved breeds of stock; and by directing attention to such branches of husbandry as may prove most lucrative to our citizens. In this connection I would especially call your attention to the subject of wool-growing. In my judgment, many parts of this territory, particularly the high and rolling lands, are well adapted to sheep raising, and I suggest whether it might not be well to encourage their importation, by some special provisions of law.

In Saline and Lancaster counties, in this territory, are found numerous and valuable salt springs, which, if properly worked, would not only furnish salt for the people of the whole territory, at much lower rates than it can be brought from the States; but would afford employment for very many of our industrious citizens. These springs, with the adjacent lands, have been reserved from sale by the General Government, and no legal use or disposition can be made of them by the people of the territory. I recommend, therefore, that you memorialize Congress on this subject, and ask that these springs, with the reserved lands, may be placed under the control of our legislature, or that Congress may pass some law authorizing them to be worked under the control of the government.

The discovery of stone coal, especially in localities where timber is deficient, is very desirable, as it would facilitate the rapid settlement of the country, and diminish the expense of driving machinery. Up to this time but little effort has been made for this purpose, and but few discoveries have been made. But it is believed, from the indications of the general topography of the country,—the similarity of its external development to adjacent countries in which valuable deposits have been recently found to exist, that there are vast deposits of coal, and probably other valuable minerals, within the limits of our territory. I therefore recommend that you memorialize Congress for the purpose of securing a geological survey of the territory at as early a period as possible.

Nothing, however, can make our territory so desirable as a home for industrious people as assured security to life, liberty and property. You should, therefore, carefully review our criminal code, for the purpose of correcting errors, or supplying omissions which may exist, in providing for the infliction of just penalties on those who wilfully violate either the rights of person or property:—remembering that the prompt and certain execution of just laws against offenders, is the highest humanity; and that the humblest, as well as the most influential, are equally entitled to protection.

As no community in this age of the world can continue to be prosperous and happy without religious freedom, you should carefully examine, and, if found necessary, revise our statutes on this subject, so as to secure to individuals and societies the fullest enjoyment of their religious rites. While none should be compelled to engage in any form of religious worship, no one should be permitted, with impunity, to molest those whose convictions may prompt them to do so.

I also invite your attention to our school system. While nothing can be more desirable to a free and intelligent man than the means of educating his children, and while nothing is more essential to the welfare of civil society than FREE SCHOOLS, it has always been difficult to devise a system adapted to the wants of new communities, with but limited means, in a sparsely populated country. In Nebraska, no permanent school fund has been provided; and in our territorial condition we cannot avail ourselves of the sources of revenue possessed by the new states, such as the proceeds of the sales of the sixteenth sections of land, and other reservations, and funds derived from the Federal Government. But the secretary of the interior department has recently decided that the lands in the territories, reserved for school purposes, may be leased, and the proceeds used in assisting to support our common schools. If, in your judgment, a revenue for school purposes may be derived from this source, it will become your duty to provide the necessary legislation. I will most heartily co-operate with you in the adoption of whatever measures your wisdom may devise calculated to render our school system effective.

From the report of the territorial auditor, herewith submitted, it will be seen that the whole indebtedness of the territory is, exclusive of interest, fifty thousand three hundred and forty-two dollars and ninety-eight cents, ($50,342 98). Of this sum, sixteen thousand dollars, ($16,000), is in territorial bonds, and the balance, thirty-four thousand three hundred and forty-two dollars and ninty-eight cents, ($34,342 98), is in territorial warrants. To meet this, there is due from the counties of the territory thirteen thousand one hundred and seventy-three dollars and one cent, ($13,173 01), leaving a balance of the principal unprovided for of thirty-seven thousand two hundred and twenty-six dollars and twenty-three cents, ($37,226 23). The recommendation of the auditor, that an appropriation bill should be passed at each session, limiting the amount to be drawn for by the auditor, and specifying as nearly as possible the purposes for which he shall draw his warrant, is, in my opinion, a good one. Under the present system we have no checks or restrictions upon that officer, and no certain means of knowing the amount that may have been drawn for in any one year. The bonds alluded to as forming a part of the territorial indebtedness were issued by the secretary of the territory under an act passed at your last session authorizing the "Funding of the indebtedness of the territory." Under this act, the holders of warrants were authorized to exchange them for bonds, payable in ten years, with an annual interest of seven per cent. payable semi-annually. The time mentioned in this Act, during which holders of warrants were permitted to exchange them for bonds, expired on the first day of this month. As many holders of warrants, residing at points remote from the seat of government, may not have had an opportunity to present them for exchange, I recommend that you pass a law granting further time for presenting the out-standing warrants for the purpose of being funded according to said act.

The report of the territorial librarian is very full, and shows a considerable increase of books and public documents, particularly of reports, laws and other valuable documents from the states and territories. The last appropriation that was made by the general government for the purpose of purchasing books for our library was expended by my predecessor, except a small balance of thirty-four dollars and ninty cents, ($34 90.) That sum, I have just learned, has been passed to my credit, by the treasurer of the United States, and will be used in the purchase of a few works that I learn are much needed in the library.

The territorial treasurer, whose annual report is herewith presented, points out many defects in our revenue system, to all of which I invite your attention. No part of your duties demands more careful attention than the revenue system. It appears from this report that there is a large balance of the taxes for 1859 and 1860 still due and unpaid, and when you take into account the fact that the auditor included in his report, under the head of "resources," the assessment for 1861, you will perceive that the finances of the territory are not in a very satisfactory condition. The accumulation of a large territorial debt is impolitic, and, as it seems to me, unnecessary. The United States pay the necessary expenses of the executive office, of the legislature, and of the territorial judiciary. The other expenses of the territory ought to be limited to a sum that the people could promptly pay, from year to year, as they accrue, by the collection of a light tax. The accumulation of the debt that now exists has depressed the credit of the territory at least fifty or sixty per cent. below par. This renders it necessary, in making purchases and executing contracts for the public, to pay exorbitant prices, and also lays the foundation for augmenting the territorial taxes for each subsequent year.

In the collection and disbursement of the revenue for the counties, the same principle should be observed. The annual expenditures of each county should be limited to the annual income, let the temporary inconvenience be what it may; and in the counties that have suffered a large debt to accumulate, the expenses should be reduced proportionately still lower, and the surplus revenue faithfully applied to its payment. This policy would soon bring the credit of the counties to par.

I understand a practice has been established, in some of the counties of the territory, in the payment of county liabilities, of issuing county orders for a much larger amount than the specific debt to be paid—in some cases three or four times as much—so as to cover the supposed depreciation of the orders below par. This practice cannot be too strongly reprehended. If an individual should thus disparage his own credit in the money market, his pecuniary ruin would be inevitable, and the same result will follow such financiering by a municipal corporation. The indebtedness of the counties adopting this practice will be rapidly augmented beyond the ability of the people to ever pay; repudiation will follow, and with it the ruin, probably, of those who hold these county orders.

It would, in my opinion, be much better to suffer a little inconvenience at the beginning. I therefore recommend that you give this subject your earnest attention, and that you carefully examine our revenue laws, for the purpose of remedying any defects that may appear in the system, and correcting any abuses that may have grown up in their execution.

The completion of the capitol, the erection of a penitentiary, and other public buildings, are very much needed. But in the present financial condition of the territory, I cannot recommend a territorial tax for these purposes. Were it not for the existence of civil war, which is making such large demands upon the national treasury, we might reasonably expect Congress to aid us with liberal appropriations. The relation of the territories to the Federal Government is somewhat like that of the child to the parent. The Federa Government should nurture, aid and protect the people of a territory, as a wise and provident father would his children. In the beginning, the territory may be burthensome, but the ultimate advantage is mutual. As our population and wealth increase, we augment the security and power of the nation, and add to its revenues, by the payment of our proportion of its taxes, and by bringing into market vast quantities of its public lands, enhanced in value by our industry. It would not be unreasonable, therefore, for you to solicit such assistance from Congress as may be imperatively necessary for the purposes alluded to above.

You will be unable to use the rooms in the capitol designed for the annual sessions of the legislature. It might be considered unwise, at present, to request a sum sufficient to complete the building, but economy, as well as convenience, and the prompt discharge of public business, would seem to require the early completion of the halls for the council and house of representatives. I therefore recommend that you ascertain the amount required for this purpose, and memorialize Congress for the necessary appropriation.

The existence of good society requires the punishment of evil-doers. Savages, as well as civilized communities, are compelled to restrain or destroy those who violate their laws. Their trial should be impartial, and their punishment prompt, humane and certain. Without a seasonable certainty of the punishment of offenders, individuals and communities smarting under the unredressed violation of their rights, will take the redress of grievances into their own hands; mobs will take the place of your courts; the trial of the accused will be dispensed with, or become a mockery, putting in peril the innocent with the guilty; and severe and cruel punishments will be inflicted for minor offences,—thus undermining the very foundations of society. It is perfectly clear, therefore, that we must have a secure territorial prison in which to incarcerate those who may be convicted of crimes. Heretofore, Congress has uniformly, I believe, made appropriations for the erection of penitentiaries for the organized territories. I know of no reason for making Nebraska an exception. You may, therefore, press this subject on the attention of Congress with a reasonable expectation of success.

An appropriation should also be asked, for the establishment of an arsenal in the territory. The militia of the territory are not properly supplied with arms and munitions of war. We are surrounded by tribes of Indians who have been more or less tampered with by wicked men, and traitors to the Union; we are in the immediate vicinity of the battle-fields of the rebellions states; the regular troops, who have been recently garrisoning our forts, are being rapidly withdrawn; large numbers of our best and bravest young men have been summoned from their homes to aid in fighting the battles of the Union; we have a long range of frontier settlements exposed to the tomahawks and scalping knives of savages. You should, therefore, urge upon Congress, in the strongest terms, the necessity of furnishing our people with the means of defending their homes and families.

An effective organization of the militia of the territory, and the safe keeping and preservation of the public arms, is a subject to which I would also invite your earnest attention. An act entitled "An act to organize the Nebraska volunteers," passed at the session of 1856, is the only law now in force in the territory on this subject.

By examining that law you will find it to be very defective. It will become your duty, therefore, to make such revision and amendment as the public necessities require.

The land system adopted by the Federal Government is, in many respects, just and liberal towards the people of the new STATES, On their admission into the Union they receive large reservations for school purposes, universities, salt springs, and for internal improvements; and a handsome per cent. from the proceeds of subsequent sales of lands within their limits. But as long as the territorial condition continues, the system is oppressive and unjust to the settlers. They are deprived of all these advantages, at a time, too, when they need them most. After struggling with all the difficulties of a frontier life, and by years of persevering toil, rendering the country desirable, and the public lands valuable, they are allowed the poor boon of pre-empting and buying at one dollar and a quarter per acre, their own improvements, not exceeding one hundred and sixty acres each, if they should be able to do so within one year after filing notice. But should they fail to raise the required means, they must submit to the loss of their homes, or to the ruinous demands of the money-lender. Every acre not thus secured is exposed to sale at public out-cry to the highest bidder, and if not sold, becomes subject to private purchase, or entry with land warrants. In this way it passes into the hands of foreign speculators in large quantities, and lies unimproved, preventing the settlement and improvement of the country, depriving the scattered inhabitants of the advantages of schools and churches, roads and bridges, machinery and manufactures, and other accompaniments of a dense population. Hence you should, in my opinion, urge Congress to enact a homestead law at its next session. With such a law, enabling the industrious, with limited means, to secure homes for their dependent families, a very few years only will roll around before the rich valleys of the Platte, the Loup, the Elkhorn, the Nemaha, the Niobrara, and other streams in the territory, will be made to blossom as the rose.

I am confident that the character of our territory, as a grazing and grain-producing country, is not well understood abroad. You could doubtless add to your population from year to year many thousands of industrious, and in many instances, wealthy inhabitants, by the employment of a traveling agent of emigration. Several of the new states and territories of the north-west have employed these agencies with great success. The small expense incurred would soon be returned to the treasury from the taxes derived from the property of immigrants thus induced to settle among us; at the same time the immigrants themselves would be greatly benefitted. Whether the condition of the treasury would, at this time, justify the expenditure, is left without recommendation, for your enlightened consideration.

Experience has shown that an agricultural community cannot prosper without a safe medium of exchange. An inflated paper currency will, sooner or later die, in the hands of unsuspecting holders, with ruinous effects on those who have enjoyed none of the profits of such a system, and who are least able to endure the loss. Nothing but gold and silver, and the paper of well guarded and strictly specie-paying banks, should be tolerated. The people of Nebraska have already suffered severly on account of the circulation of irredeemable paper. This subject is commended to your earnest consideration, that the people whom you represent may be protected, as far as possible, from future losses.

Congress, at its last session, in providing means to be used in putting down rebellion in a number of the Southern States of the Union, levied a direct tax on the people. The Constitution of the United States provides that direct taxes shall be levied by Congress in proportion to the population. The proportion assigned to Nebraska amounts to nineteen thousand three hundred and twelve dollars. This tax may be assessed and collected by officers to be appointed by the secretary of the treasury, or may be assumed by the territorial government. In the latter case, a deduction of fifteen per cent. from the gross amount will be allowed the territory. I therefore recommend that you make the necessary provision for its collection by adding the gross amount to the tax levy for the coming year for territorial purposes, or that you make such other provision for its payment as your wisdom may devise. Although the sum to be raised is comparatively large, we should not hesitate to bear our part of the burden. Each one should be willing to exert himself to the utmost to avert the danger which now threatens the Union. We would be unworthy descendents of the good and great men who pledged their property and their lives to secure our free institutions, if we hesitate to make any sacrifice necessary for their preservation. The patriotism of those who assist our country now, when she is defending the Constitution and the Union against traitors and rebels, and who stand firmly by that flag and those institutions, which have descended to us from the hands of WASHINGTON, will be held in grateful remembrance by the great and the good everywhere, and their names will descend with imperishable honor to posterity, for having aided in preserving to their country and the world, in its original integrity and vigor, the freest and best government on earth.

In concluding this communication, I deem it a duty, as it is a pleasure, to give expression to the strong desire entertained by me to co-operate with you in the adoption of whatever measures your wisdom may devise for the promotion of the public welfare; that your deliberations may be harmonious; that in any conflict of opinion which may arise in the discussion of public measures during the session, mutual forbearance may be manifested by the members of your respective bodies towards each other, and that our personal, as well as our official intercourse, while associated in the public service, may be characterized by a fraternal spirit, and remembered only with emotions of pleasure, when each of you shall have returned to his constituents in the different portions of the territory. ALVIN SAUNDERS.

Executive Chamber, Omaha, December 2, 1861.

AUDITOR'S REPORT.

OMAHA, December 2, 1861.

To his Excellency, ALVIN SAUNDERS, *Governor of Nebraska:*

In accordance with a law of the territory, I hereby snbmit a condensed statement of the financial affairs of the territory up to this date, as shown by the books of my office, viz:—

Whole amount of warrants issued from July 1, 1855, to January 1, 1861		$61,006 60
(The above are subject to bond, as per act passed last session.)		
Amount of warrants issued during the current term		11,725 30
Total amount of warrants issued		$72,731 90
Of the above amount there has been reported to me by the treasurer as redeemed, viz:		
Amount reported at the close of 1860	$10,522 18	
" redeemed the present year	15,866 74	$26,388 92
Total amount of outstanding warrants		$46,342 98
Add to the above, bonds issued in 1856, by order of legislature		4,000 00
		$50,342 98

The above amount comprises the whole territory debt to this date, less the interest on outstanding warrants, a liberal estimate of which, in my judgment, would not reach $1,000. I am informed by the honorable secretary of the territory, that nearly $16,000 of the above amount of outstanding warrants have been converted into bonds, reducing the amount now out to about $30,000. In regard to the act passed at the last session, authorizing the funding of the territorial debt, an important item appears to have escaped the notice of the framers of the bill, viz: the act provides but seven per cent. interest on the bonds, whereas the warrants, by an act previously passed, are drawing ten per cent. per annum; in consequence of which, many persons holding warrants prefer them to bonds for that reason. This matter should receive attention the present session. I would also recommend that the parties holding the $4,000 in bonds issued in 1856, be authorized to exchange them for bonds under the late act, they not being provided for in that act.

With reference to the present financial condition of the territory, the following is a condensed statement of liabilities and resources, to date:

LIABILITIES.

Amount of outstanding warrants - - - -	$46,342 98	
" Bonds issued in 1856 - - - -	4,000 00	
" Credit balance to Johnson county -	56 26—	$50,399 24

RESOURCES.

Amount due from Cass county - - - -	$2,425 48	
" " Dodge county - -	145 09	
" " Nemaha county - - - -	1,050 16	
" " Otoe county - - -	4,009 42	
" " Douglas county - - -	1,220 62	
" " Richardson county - -	784 12	
" " Washington county - -	1,057 26	
" " Sarpy county - -	520 86	
" " Dixon county - - - -	24 35	
" " Pawnee county - -	240 43	
" " Dakota county - - -	523 10	
" " Burt county - -	707 43	
" " Platte county - - -	310 42	
" " Cedar county - -	2 12	
" " Gage county - - - -	110 29	
" " Clay county - -	41 86 —	13,173 01
Excess of liabilities over resources -		$37,226 23

The foregoing balances are shown, after crediting each county with two-thirds of the amount levied for 1860, in accordance with an act passed by the last legislature, which act, by the way, has been most unfortunate in its results for the territorial credit, having the effect of depriciating the warrants so that their cash value during the past year has been only about thirty-five or forty cents on the dollar.

In the future, I see no good reason why the financial affairs of the territory may not be so conducted as to place the value of the warrants at or near par. The last legislature abolished some offices that were a source of great expense. They also settled the last of the so-called Pawnee war accounts, so far as my knowledge extends. The year before, the accounts of the code commissioners, that had been running some years, were settled; and I know of no old claims against the territory remaining unsettled.

The current expenses of the territory should not exceed $6,000 or $7,000 per year, including the incidental expenses of the legislature while in session. But in the present very unsatisfactory, and I may say loose, manner in which the business of the territory has to be conducted, owing to numerous laws that authorize the issuing of warrants, it is utterly impossible to confine the expenses to any certain sum for the year. And although I have urged the matter of passing a regular appropriation bill, at each session of the legislature, without effect, I will call the matter to the attention of the present honorable body, and suggest that they appropriate certain sums, for particular purposes needed, that may be drawn against through the year, and if the sums so appropriated are exhausted, that will end the drafts until another appropriation is made. In this way every citizen of the territory may know the exact expenses of the same for the year. I hope this matter will receive attention the present session.

In connection with this subject, I will state that the taxable property of the territory amounts to $6,825,000. A levy of two mills on the dollar, payable, say half in cash and half in warrants, would provide means sufficient to pay the current expenses of the year in cash, and the remainder would, in a few years, exhaust the amount of outstanding warrants. A tax of this amount would not be burdensome, and would soon restore the credit of the territory to what it should be.

With regard to the revenue law; the main portion of it is, in my judgment, good; but there are several sections that need amending, and as these amendments can better be stated to a committee of the legislature than by attempting to note them here, I will be glad to meet any such committee and render them what aid I can to reform the objectionable sentences. I would suggest that an act be passed legalizing all taxes heretofore levied, that any omissions in regard to reports from counties that have been delayed, or errors in regard to times of levying, caused by a misunderstanding of the law, may be healed. I would further suggest that the law be so amended as to require all taxes, or at least the business of the counties, to be closed up each year; and if the counties have not collected sufficient to extinguish all their indebtedness for the year, let the county treasurer be empowered to sign a due bill for the delinquent amount, and place the same in the hands of the territorial treasurer, to be paid by a certain time provided for in the law.

There are a number of laws, passed at different sessions, that authorize the issuing of warrants, that should be repealed, and I deem it unnecessary to mention them in case an appropriation bill is passed. Should such a bill not pass, I will communicate to the legislature before the close of the session, such acts as need attention for their consideration.

An act passed the last legislature authorizing me to sell all that remained of the old iron around the capital building, to the best advantage I could, and place the proceeds to the credit of the school fund of the territory.

I made sale accordingly to the amount of	$971 78
On the above there has been paid	150 00
Balance	$821 78

The balance I was compelled to give time on, in order to make the sale, and I hold the obligation of one of the most responsible firms in this city for the balance, payable next October, with interest after the first of next April. I will state that at the time the sale was made the iron was partly under ground, frozen up, with a deep snow upon it; and the expense of digging it out, hauling, &c., amounted to forty dollars—which was the best I could do at that time.

I believe I have mentioned all that has occurred to me worthy of attention, and will ask that a committee of the legislature be appointed to examine the affairs connected with my office, and I hereby invite any member of the legislature to examine the books and accounts of my office, and will be pleased to afford them any information in my power.

Respectfully, your obedient Servant,
R. C. JORDAN, *Territorial Auditor.*

TREASURER'S REPORT.

OFFICE OF TERRITORIAL TREASURER,
OMAHA, NEBRASKA, November 27, 1861.

To his Excellency, ALVIN SAUNDERS, *Governor of Nebraska:*

SIR—In pursuance of law, I have the honor herewith to submit the annual report, showing the condition of the territorial treasury, together with a statement showing the amounts charged to the several counties for revenue of 1859 and 1860, and the amounts received from them on account of said revenue, from the time I first took charge of the office up to the present time. I deem it proper to thus go back to the commencement, because, in the printing of the reports for previous years typographical errors have occurred, and in closing up my official term, I desire that the people should know the *exact* condition of the treasury.

Our revenue law demands the early attention of the legislature, and should be amended in several particulars. Although it contemplates that the fiscal year shall commence on the first of February, and end on the last day of January succeeding, there is no closing up of the revenue for any year. On the first of February, the commissioners furnish the precinct assessors with the necessary blanks, and who are allowed until the first of March to distribute them—work that in any ordinary precinct ought to be done in a week. The lists are to be made out and returned to the assessor within twenty days, and he is then allowed until the second Monday in April to make out and return his rolls to the county clerk, a length of time unnecessary, unless to provide per diem for the assessors. The county clerk's abstract of the assessment rolls must be sent to the auditor the first Monday in May, and the territorial board of equalization must meet on the second Monday in May to equalize the tax. One week is altogether too short a time for reports to reach the capitol from the more distant counties. The auditor is allowed until the first Monday in June to notify the county clerks of the changes, if any, that may be made in the valuation and territorial levy: *ample time* for the auditor to write the necessary letters, but they have only a week to go to the county clerks before the meeting of the county boards of equalization on the second Monday in June, who *may* sit until the first Monday in July before levying the tax, after which, the county clerk is allowed *two months* to prepare the tax list, and duplicate for the county treasurer. A month ought to be a sufficient length of time for this duty, but it seems that it is not, for in one of the counties the tax list is not yet in the hands of the treasurer, and because the county clerk has neglected to perform the duties required of him, in the time specified, the tax is illegal, and *must* have an act legalizing it before it will be paid. After the treasurer receives the tax duplicate he is allowed until the first of June following to collect the tax before it even commences to draw interest. Now, who is there that thinks that people will pay their taxes promptly, when they have *nine months* to run without even paying interest? After the first of June the taxes become delinquent, a penalty of ten per cent. is added to the principal, and ten per cent. interest imposed until the first Monday in September, when, if *all* of the proceedings have been *exactly* according to the letter of the law, and no mistakes made by either the county treasurer or the printer, in the publication of the notice, then the property upon which the tax remains unpaid *may* be sold, if a purchaser can be found who is willing to either lose his money, or at least the interest of it for a few years, or incur the trouble and expense of going through the circumlocutory process of suing for a title, and proving *all* that is required of the purchaser to prove before he can obtain a title. No one will risk the payment of money under such circumstances. Let the law provide that after property has once been offered at public sale, any person may come in and purchase it, subject to a redemption by the owner, after, say two years, on paying to the purchaser the money paid, with a penalty of, say forty per cent. (the current rate) interest; and if not redeemed, that the purchaser may apply for and receive a good and full title, without further proceedings; then capitalists will seek tax titles as an investment, and the taxes for each year can be squared up in the year. If property should be improperly sold, in consequence of the neglect of any officer, make that officer liable for the damage. Do not let the neglect of any officer, whose duty it is to perform any service under the law, or of the treasurer, to have the notice published by such a particular day, or in any particular manner, or of typographical errors in the notices, vitiate the sales. Let the *law* be a sufficient notice to all that their taxes are due at certain times, and if not paid that their property will be sold.

But few of the counties have settled up the tax for 1860; and in the larger counties the sales for delinquent taxes were not made in September last, as required by law, owing, in Douglas county, to the substitution of the figure "4" for the figure "2", in printing the notice for the sales. In other counties to other causes; so that at least another year must elapse before the tax for 1860 can be settled up.

Under this law, too, but little of the *money* collected finds its way into the territorial treasury: an instance of which occurred in one of the southern counties, where the county treasurer paid in, by an agent, $437 95 in territorial warrants, regularly endorsed, as required by law, "*received for taxes.*" Upon a subsequent examination of the warrants so returned, $106 42 were found to have been issued by the territorial auditor on the very day they were returned to the treasury as having been received for taxes in a county some eighty miles distant from the capitol. By this system there is not money enough comes into the treasury to pay the interest coupons upon the $4,000 loan, and the incidental expenses and salaries of the several officers; and to meet the incidental expenses, warrants must issue for two or three times the amount of the expense, owing to their depreciated value. In another county, not so far distant, there was paid into the treasury, on January 2, 1860, $2,069 37, and on November 26, 1861, $3,847 60, making a total of $5,916 97, all in warrants, and not one cent in money, although the law says positively, that the *identical* warrants and money received for taxes shall be paid into the territorial treasury. It is hardly reasonable to suppose that such an amount could be received and not even a penny in cash. Perhaps the explanation can be made that that treasurer is in the habit of purchasing territorial warrants at a greatly depreciated value, contrary to the provisions of section seventy-nine of the criminal code. (See page 56, laws of 1858.)

By the seventy-third section of the revenue law, (see page 122, laws of the seventh session) the treasurers of several of the counties are required to make two settlements per year, the others one settlement, with the territorial treasurer, and are entitled to mileage fees of five cents per mile, each way, from the *territorial treasury*. By the seventy-seventh section, they are entitled to *five cents per mile, for making the same settlement, from the county treasury*.

As none of the county treasurers, who have heretofore paid funds into the territorial treasury, have brought with them their tax list, or any other books, so that a settlement might be made in full, I would suggest that much of the expense for mileage might be saved by requiring the auditor to visit the county seats, and there examine the treasurer's books, and settle the territorial tax, giving the territorial treasurer a certificate of the amounts collected in the several counties, which amounts should be subject to his draft; rather than require county treasurers to come to the capitol as heretofore. In one case, the county treasurer paid in $16 57, his mileage and per centage amounted to $15 96, leaving sixty-one cents net to the treasury. To make this settlement it was necessary to travel one hundred and sixty miles, the stage fare amounted to $22, a net loss to the county treasurer of $6 04, besides the loss of time, about eight days being required to make the trip, and the extra expense of subsistence by the way. In another case, the treasurer paid in $15 25, and received mileage and fees amounting to $13 11. In another case, the treasurer received $8 50 for mileage, he paid out $9 for stage fare, about $5 for extra subsistence, and had to walk seventy miles of the distance in coming to and returning from Omaha to make the settlement required by law.

The law passed at the last session, requiring county treasurers to pay in only one-third of the tax levied in 1860, and the auditor to issue warrants to the counties for the excess, should be so amended as to require the several counties to pay up the indebtedness of previous years before being entitled to the benefits of the refunding act: for instance, Otoe county is charged with $3,563 78 as their proper share of the territorial tax for 1859—by some neglect of the proper officers, the full tax was not levied in the county for that year. The amount collected for that and previous years was $1,504 04, deducted from above, leaves $2,059 74 still due, and which, I am assured by the county treasurer, cannot be collected. The amount charged to Otoe county for revenue of 1860 was $4,474 06; one-third of which is $1491 35; amount of warrants paid in, $1,722 28; amount refunded to county by auditor's warrants, $230 93; leaving the amount of $2,059 74 still due from said county. There is no good reason why the auditor should be required to draw warrants upon the territorial treasury for the benefit of Otoe county when that county owes so much to the territorial treasury.

The laws require the territorial treasurer to make an apportionment of the school funds semi-annually; and also requires the county treasurers to report the amount of funds collected. Up to this time but *one* of the treasurers has complied with the law; and but one, of Burt county, has ever paid in any school moneys to me. That county has paid in the sum of $38 03, being the balance due from said county after deducting the apportionment of 1860. It is impossible to apportion funds until we know how much there is to apportion, and that we cannot find out until a penalty is provided for neglecting to report the amounts collected.

All of which is respectfully submitted,

W. W. WYMAN, *Territorial Treasurer.*

Territory of Nebraska in account with W. W. Wyman, Territorial Treasurer.

1856.		Dr.	Cr.
May 14,	By am't received from treasurer of Cass county..		$66 30
June 16,	do do do Dodge county		20 20
Do. 16,	To am't paid treasurer of Dodge county, mileage and fees	$14 50	
Do. 16,	By am't rec'd from treasurer of Nemaha county,		30 00
July 1,	do do F. R. West, on account of territorial bond		4,000 00
Do. 1,	To am't paid Territorial warrants............	958 10	
Do. 2,	do do do	1,149 60	
Do. 3,	do do do	396 00	
Do. 5,	do do do	78 00	
Do. 7,	do do do	132 00	
Do. 8,	do do do	105 00	
Do. 30,	do do do	152 00	
Aug. 4,	do do do	23 25	
Do. 14,	do do do	242 00	
Do. 19,	do do do	60 00	
Do. 30,	do do do	120 00	
Sept. 16,	do do do	91 50	
Do. 30,	do do do	400 00	
Dec. 15,	do do do	36 00	
Do. 18,	do do do	49 55	
Do. 18,	do for books for use treasurer's office,	5 00	
Do. 18,	do for drawing Territorial bonds......	5 00	
1857.			
Jan. 1,	To amount paid semi-annual interest on Territorial bonds	300 00	
Feb. 13,	By am't received from treasurer of Otoe county,		250 00
Do. 13,	To amount paid warrants........................	12 00	
July 7,	By amount received from Douglas county......		377 67
Do. 18,	do do Otoe county.........		108 83
Aug. 15,	do do Douglas county........		978 06
Do. 15,	To amount paid semi-annual interest on bonds..	200 00	
Sept. 10,	By amount received from Douglas county......		269 00
Do. 26,	To amount paid on Territorial warrants.......	175 00	

			Dr.	Cr.
1858.				
Jan.	4,	To amount paid G. C. Monell on account of interest on Territorial Bonds	$ 55 00	
Do.	4,	To amount paid on Territorial warrants	1,236 83	
Dec.	16,	By amount received from Otoe county		$378 46
Do.	16,	To amount paid warrants	378 46	
1859.				
Jan.	13,	By amount received from Nemaha county		788 21
Do.	13,	To amount paid on warrants and interest	766 88	
Aug.	12,	By amount received from Richardson county		200 00
Do.	12,	To amount paid warrants and interest	162 25	
Do.	12,	do treasurer of Richardson county, mileage	25 00	
Oct.	15,	By amount received from Johnson county		98 75
Do.	15,	To amount paid on warrants and interest	89 00	
Do.	15,	do treasurer of Johnson co., mileage,	20 00	
Do.	28,	By amount received from Johnson county		44 83
Do.	28,	To am't paid treasurer of Johnson county, mileage,	20 00	
Dec.	10,	By amount received from Dodge county		85 80
Do.	15,	do do Otoe County		243 75
Do.	15,	To amount paid warrants and interest	243 75	
Do.	16,	By amount received from Cass county		60 85
Do.	16,	To amount paid warrants and interest	60 85	
Do.	28,	By amount received from Nemaha county		437 95
Do.	28,	do do Washington county		348 92
Do.	28,	To amount paid warrants and interest	717 13	
Do.	28,	do treasurer of Wash. county, mileage,	4 40	
Do.	30,	do on account of warrant No. 35	100 00	
1860.				
Jan.	2,	By amount received from Sarpy county		597 74
Do.	2,	do do Douglas county		2,069 37
Do.	2,	do do Dixon county		71 29
Do.	2,	To amount paid warrants and interest	2,597 98	
Do.	2,	do treasurer of Sarpy county, mileage and fees	62 17	
Do.	2,	To amount paid treasurer of Dixon County, mileage and fees	33 12	
Do.	7,	By amount received from Pawnee county		137 47
Do.	7,	To amount paid treasurer of Pawnee county, mileage and fees	42 36	
Do.	10,	By amount received from Dakota county		32 00
Do.	10,	To am't paid treasurer of Dakota county, mileage,	22 00	
Do.	12,	By amount received from Dodge county		165 02
Do.	12,	To amount paid warrants and interest	165 02	
Do.	17,	do interest on Territorial bonds	120 00	
Do.	24,	do on account of warrant No. 14	125 00	
Mar.	14,	By amount received from Dakota county		65 20
Do.	14,	To amount paid warrants	35 00	
Do.	14,	do treasurer Dakota county, mileage,	20 00	
May	14,	To amount paid warrants and interest	10 14	
June	5,	By amount received from Dakota county		77 50
Do.	5,	To amount paid warrants	77 50	
Do.	8,	By amount received from Otoe county		451 50
Do.	8,	To amount paid warrants and interest	451 50	
Dec.	5,	By amount received from Dodge county		171 47

				Dr.	Cr.
Dec.	5,	To amount paid warrants and interest..........		$170 37	
Do.	19,	By amount received from Johnson county			$156 03
Do.	19,	To amount paid warrants and interest		108 98	
Do.	19,	do treasurer Johnson county, mileage,		18 60	
Do.	26,	do balance on warrant No. 14......		40 09	
				$12,783 88	$12,772 67
				12,772 67	
1861.					
Jan.	2,	To balance due W. W. Wyman on settlement with legislature		11 21	
Do.	3,	By amount received from Dakota county, revenue of 1859	$27 00		
Do.	3,	By amount of interest on delinquent taxes of 1859........................	3 00		30 00
Do.	3,	By amount received from Dakota county, revenue of 1860......................	99 00		
Do.	3,	By amount of interest on delinquent taxes of 1860..........................	2 00		101 00
Do.	3,	By amount received from Johnson county.......			81 83
Do.	3,	do do Washington county....			1,049 02
Do.	3,	To amount paid warrants and interest..........		1,205 25	
Do.	3,	do treasurer Johnson county, mileage,		18 60	
Do.	3,	do treasurer Washington co., do		4 40	
Do.	3,	To error charged to Washington county.........		8 00	
Do.	4,	By amount received from Nemaha county.......			877 04
Do.	4,	To amount paid warrants and interest..........		861 04	
Do.	4,	do treasurer Nemaha county, mileage,		16 00	
Do.	7,	By amount received from Sarpy county.........			808 60
Do.	7,	To amount paid warrants and interest..........		808 60	
Do.	8,	By amount received from Richardson county....			600 04
Do.	8,	do do Burt county.........			186 66
Do.	8,	To error charged to Burt county..............		6 00	
Do.	8,	To amount paid warrants and interest.........		491 02	
Do.	8,	do treasurer Richardson co., mileage,		25 00	
Do.	11,	By amount received from Cedar county on tax of 1859	$57 57		
Do.	11,	By amount of interest on delinquent tax of 1859	2 88		60 45
Do.	11,	By amount received from Cedar co., tax of 1860,			63 20
Do.	11,	do do Otoe county...........			973 75
Do.	11,	To amount paid treasurer Cedar county, mileage,		36 00	
Do.	11,	do warrants and interest		1,010 75	
Do.	12,	By amount received from Cass county...........			1,504 68
Do.	12,	do do Pawnee county........			106 64
Do.	12,	To amount paid warrants and interest		1,708 17	
Do.	12,	do treasurer Pawnee co., mileage...		22 00	
Do.	19,	do warrants and interest		107 49	
March	5,	By amount received from Gage county..........			50 00
April	5,	do do Cass county..........			958 87
Do.	5,	To amount paid warrants and interest.........		861 31	
Do.	9,	By amount received from Platte county........			46 32
Do.	9,	To amount paid warrants and interest		32 83	
May	1,	By amount received from Dixon county........			91 94

		Dr.	Cr.
May 1,	To amount paid warrants and interest.........	$65 94	
Do. 1,	do treasurer Dixon county, mileage,	26 00	
Do. 25,	By amount received from Richardson county....		$204 73
Do. 25,	To amount paid warrants and interest.........	264 87	
Do. 25,	do treasurer Richardson co., mileage,	25 00	
June 15,	By amount received from Otoe county.........		748 53
Do. 15,	do do Nemaha county.......		331 28
Do. 15,	To amount paid warrants and interest.........	1,079 81	
Do. 17,	By amount received from Sarpy county........		582 04
Do. 17,	To amount paid warrants and interest.........	582 04	
Aug. 3,	By amount received from Dodge county........		107 62
Do. 3,	To amount paid warrants and interest..........	107 62	
Sept. 12,	do do do	100 00	
Do. 23,	By amount received from Johnson county......		45 01
Do. 23,	To amount paid warrants and interest..........	22 61	
Do. 23,	do treasurer Johnson county, mileage,	8 50	
Do. 27,	By amount received from Cass county..........		514 08
Do. 27,	To amount paid warrants and interest..........	514 08	
Oct. 3,	By amount received from Burt county.........		32 44
Do. 3,	To amount paid warrants and interest.........	32 44	
Do. 7,	By amount received from Sarpy county........		206 01
Do. 7,	To amount paid warrants and interest.........	206 01	
Do. 14,	By amount received from Platte county........		9 62
Do. 14,	To amount paid warrants....................	19 21	
Do. 29,	By amount received from Cedar county........		16 57
Do. 29,	do do Dixon county.........		15 25
Do. 29,	To amount paid warrants and interest.........	31 82	
Nov. 26,	By amount received from Douglas county......		3,847 60
Do. 26,	By amount of certificates on warrants returned from Douglas county, Jan. 2, 1860........		675 85
Do. 26,	To warrants and interest and certificates redeemed,	4,557 05	
Do. 26,	To balance due territory......................	50 00	
	Totals..................................	$14,926 67	$14,926 67

STATEMENT OF COUNTY REPORTS.

Cass County.

		Dr.	Cr.
	To levy for 1859........................	$3,009 91	
	To one-third of levy for 1860............	1,000 00	
May 16, 1856,	By amount received from county treasurer,		66 30
Dec. 16, 1859,	do do do ..		60 85
Jan. 12, 1861,	do do do ..		1,504 68
April 5, 1861,	do do do ..		958 87
Sept.27, 1861,	do do do ..		514 08
	Totals..................................	$4,009 91	$3,104 78
		3,104 78	
	Balance due Territory..................	$905 13	

Dodge County.

	Dr.	Cr.
To levy for 1859.........................	$478 34	
To one-third of levy for 1860............	80 63	

		Dr.	Cr.
June 16, 1856,	By amount received from county treasurer..		$20 20
Dec. 10, 1859,	do do do ..		85 80
Jan. 12, 1860,	do do do ..		165 02
Dec. 5, 1860,	do do do ..		171 47
Aug. 3, 1861,	do do do ..		107 62
	Totals	$558 77	$550 11
		550 11	
	Balance due Territory..................	$8 66	

Nemaha County.

		Dr.	Cr.
	To levy for 1859	$1,481 53	
	To one-third of levy for 1860............	700 00	
June 16, 1856,	By am't received from county treasurer..		$30 00
Jan. 13, 1859,	do do do ..		788 21
Dec. 28, 1859,	do do do ..		437 95
Jan. 4, 1861,	do do do ..		877 04
June 15, 1861,	do do do ..		331 28
	To amount of tax of 1860 refunded......	283 11	
	Totals..................................	$2,464 64	$2,464 48
		2,464 48	
	Balance due Territory..................	16	

Otoe County.

		Dr.	Cr.
	To Levy for 1859.........................	$3,563 78	
	To one-third of levy for 1860............	1,491 35	
Feb. 13, 1857,	By am't received from county treasurer..		$250 00
July 18, 1857	do do do ..		108 33
Dec. 16, 1858,	do do do ..		378 46
Dec. 15, 1859,	do do do ..		243 65
June 8, 1860,	do do do ..		451 50
Jan. 11, 1861,	do do do ..		973 75
June 15, 1861,	do do do ..		748 53
	To amount of tax of 1860 refunded......	230 93	
	Totals	$5,286 06	$3,154 32
		3,154 32	
	Balance due Territory	$2,131 74	

Douglas County.

		Dr.	Cr.
	To levy for 1859.........................	$6,318 10	
	To one third of levy for 1860............	1,000 00	
July 7, 1857,	By amount received from county treasurer..		$377 67
ug. 15, 1857,	do do do ..		978 06
ep. 10, 1857,	do do do ..		260 00

		Dr.	Cr.
Jan. 2, 1860,	By amount received from county treasurer..		$2,069 37
Nov. 26, 1861,	do do do ..		3,847 60
	Totals..............................	$7,318 10	$7,532 70
			7,318 10
	Balance due county		$214 60

Richardson County.

		Dr.	Cr.
	To levy for 1859........................	$613 19	
	To one-third of levy for 1860............	500 00	
Aug. 12, 1860,	By amount received from county treasurer..		$200 00
Jan. 8, 1861,	do do do ..		600 04
May 25, 1861,	do do do ..		204 73
	Totals	$1,113 19	$1,004 77
		1,004 77	
	Balance due Territory	$108 42	

Johnson County.

		Dr.	Cr.
	To levy for 1859........................	$203 85	
	To one-third of levy for 1860	61 33	
Oct. 15, 1859,	By amount received from county treasurer..		$98 75
Oct. 28, 1859,	do do do ..		44 83
Dec. 19, 1859,	do do do ..		156 03
Jan. 3, 1861,	do do do ..		81 83
Sept. 23, 1861,	do do do ..		45 01
	Totals	$265 18	$426 45
			265 18
	Balance due county		$161 27

Washington County

		Dr.	Cr.
	To levy for 1859	$1,143 58	
	To one-third levy for 1860	431 38	
Dec. 28, 1859,	By amount received from county treasurer..		$348 92
Jan. 3, 1861,	do do do ..		1,049 02
Jan. 3, 1861,	To error, amount of certificates unredeemed..	8 00	
	Totals	$1,582 96	$1,397 94
		1,397 94	
	Balance due Territory.................	$185 02	

Sarpy County.

		Dr.	Cr.
	To levy for 1859........................	$1,604 41	
	To one-third of levy for 1860............	500 00	

		Dr.	Cr.
Jan. 2, 1860,	By amount received from county treasurer..		$597 74
Jan. 7, 1861,	do do do ..		808 60
June 17, 1861,	do do do ..		582 04
Oct. 7, 1861,	do do do ..		206 01
	Totals..............................	$2,104 41	$2,194 39
			2,104 41
	Balance due county..................		89 98

Dixon County.

		Dr.	Cr.
	To levy for 1859........................	$97 40	
	To one-third of levy for 1860............	30 43	
Jan. 2, 1860,	By amount received from county treasurer..		$71 29
May 1, 1860,	do do do ..		91 94
Oct. 29, 1860,	do do do ..		15 25
	Totals..............................	$127 83	$178 48
			127 83
	Balance due county..................		$50 65

Pawnee County.

		Dr.	Cr.
	To levy for 1859........................	$227 90	
	To one-third of levy for 1860...........	106 65	
Jan. 7, 1860,	By amount received from county treasurer..		$137 47
Jan. 12, 1861,	do do do ..		106 64
	Totals..............................	$334 55	$244 11
		244 11	
	Balance due Territory.................	$90 44	

Dakota County.

		Dr.	Cr.
	To levy for 1859........................	$324 73	
	To one-third of levy for 1860	156 30	
Jan. 10, 1860,	By amount received from county treasurer..		$32 00
Mar. 14, 1860,	do do do ..		65 20
June 5, 1860,	do do do ..		77 50
Jan. 3, 1861,	do do do ..		131 00
Jan. 3, 1861,	To amount of interest on delinquent taxes..	5 00	
	Totals..............................	$486 03	$305 70
		305 70	
	Balance due Territory.................	$180 33	

Burt County.

		Dr.	Cr.
	To levy for 1859........................	$420 82	
	To one-third of levy for 1860............	153 68	

		Dr.	Cr.
Jan. 8, 1861,	By amount received from county treasurer..		$186 66
Jan. 8, 1861,	To error, amount of certificates unredeemed..	$6 00	
Oct. 3, 1861,	By amount received from county treasurer..		32 44
	Totals..............................	$580 50	$219 10
		219 10	
	Balance due Territory.................	$361 40	

Cedar County.

		Dr.	Cr.
	To levy for 1859......................	$56 09	
	To one-third of levy for 1860............	38 10	
Jan. 11. 1861,	By amount received from county treasurer..		123 65
Jan. 11, 1861,	To interest on delinquent taxes..........	2 88	
Oct. 29, 1861,	By amount received from county treasurer..		16 57
	Totals..............................	$97 07	$140 22
			97 07
	Balance due county....		$43 15

Platte County.

		Dr.	Cr.
	To levy for 1859......................	$71 84	
	To one-third of levy for 1860............	55 24	
April 9, 1861,	By amount received from county treasurer..		$46 32
Oct. 14, 1861,	do do do ..		9 62
	Totals..............................	$127 08	$55 98
		55 98	
	Balance due Territory................	$71 10	

Gage County.

		Dr.	Cr.
	To one-third of levy for 1860............	$47 11	
March 5, 1861,	By amount received from county treasurer..		$50 00
			47 11
	Balance due county..................		$2 89

LIBRARIAN'S REPORT.

OFFICE OF THE TERRITORIAL LIBRARIAN,
OMAHA, Dec. 2, 1861.

HON. ALVIN SAUNDERS, *Governor of Nebraska:*

SIR:—I have the honor to submit the following statement of the condition of the Territorial Library at the present date. When I assumed the duties of librarian, in June last, I found the library entirely destitute of house journals of the first session, and also of the laws of the first and second sessions of the Legislative Assembly.

Much inconvenience has been experienced by citizens of the territory for want of these publications, especially the laws. I would, therefore, respectfully urge the necessity of having a sufficient number of the above reprinted for the use of the library. I would further suggest the propriety of having bound in some more durable form than paper, such number as the legislature may deem sufficient, copies of the journals and laws of each session of the Legislative Assembly. I deem it wholly unnecessary to urge the importance of the above suggestion, of preserving, in some durable form, the proceedings and acts of our legislature, for reference in all future time.

I have further to report, that I have had the shelving painted; and labels placed upon the same for the convenience of those visiting the library. The entire number of volumes received the past year from the general government is 432; from the different States 38; total number received 470 volumes.

There are now on hand, of the laws of the third session, 401 copies of the fourth session, 660 copies; of the fifth session, 269 copies; of the sixth session, 1,200 copies; of the seventh session, 1,166 copies: aggregate number, 3,696. The number of journals on hand is about 4,000—making the total number of our own publications about 7,696 volumes. There are of congressional and other documents, 1,526 volumes, and about 400 of public documents from the States and Territories—making the entire number about 1,926 volumes. United States Statutes at large, 187 volumes; State Statutes, 200 volumes; State Reports and U. S. Supreme Court Reports, about 850 volumes; English Law Reports, about 200 volumes; Miscellaneous Law works, 115 volumes—making, of the law library, about 1,552 volumes. In the family library there are 298 volumes, which, added to the law and documentary branches, makes the total number of 11,472 volumes.

In addition to the above, I have the honor to submit the following catalogue:

Yours, most respectfully,

ROBERT S. KNOK, *Acting Librarian.*

CATALOGUE.

MISCELLANEOUS OR FAMILY LIBRARY.

ADAMS, John, Life of, 7 vols., by Chas. F. Adams; Arvine's Cyclopedia of Moral and Religious Anecdote; Artillerist's Manual, by Gibbon.

Birds of America, 7 vols., by John James Audubon; British

Poets, 58 vols.; Boswell's Life of Johnson, 10 vols; Bancroft's History of the United States, 6 vols.; Brande's Encyclopedia; Brazil, Travels in, by John Maws.

Central America, Travels in, by John S. Stevens, Esq.; Calhoun, John C., 4 vols., by R. K. Cralle; Cook's Voyages, 2 vols., by Capt. James Cook; Crabbe's Synonymes; Canoe Voyage, 2 vols., by J. W. Featherstonhaugh; Chile and La Plata, Travels in, by John Miers.

Democracy in America, by Mon. de Tocqueville; De Witt Clinton, Life and Writings of, by W. W. Campbell.

Elliott's Debates on the Constitution, 4 vols.; Encyclopedia Americana, 14 vols.; Ewbanks' Hydraulics and Mechanics.

Franklin, Benjamin, the Works of, 10 vols., by Jared Sparks; Francais' Reign of Terror, 2 vols., by J. P. and W. P. Robertson; Fairfax's Tasso.

Goldsmith's Animated Nature, 4 vols.; Godman's American Natural History, 3 vols.

Harris on Thunder Storms, 1 vol.; Hoare on the Grape Vine, 1 vol.; Hamilton, Alexander, the Works of, 7 vols., by John C. Hamilton; Holy Bible.

Irving's Works, vols. 34, 8, and 11; Iroquois, the League of, by Lewis H. Morgan.

Lossing's Pictorial Field Book of the Revolution; Lieber's Penitentiary System.

Monette's Valley of the Mississippi, 2 vols.; Madison Papers, 3 vols., by Henry D. Gilpin.

Nicaragua, its People, Scenery, etc., 1 vol., by E. G. Squier; Naturalist's Library, 38 vols.; Nutall's Ornithology.

Ossian, Poems of, by James McPherson, Esq.

Peru, Prescott's Conquest of, 2 vols., by Wm. H. Prescott; Puritans, History of, 3 vols., by Daniel Neal; Principles of Beauty in Art, by James Ferguson, F. R. A. S.

Rural Cemeteries, by James Smilie; Roman Antiquities.

Sparks' American Biography, 23 vols.; Statesman's Manual, vols. 3 and 4; Shakspeare, 3d and 4th vols.; Speeches on the Indian Bill.

Tehuantepec, the Isthmus of, by J. J. Williams; The Fruit Garden, by P. Barry; The Cabinet Gazetteer.

Vermont, History of, by B. H. Hall.

Washington, George, Life and Writings of, 12 vols., by Jared Sparks; Washington and Adams, Administration of, 2 vols., by George Gibbs; Webster, Daniel, the Works of, 6 vols.; Webster's Diplomatic and Official Papers, 1 vol.; Webster's Dictionary, 1 vol., by Noah Webster.

LAW LIBRARY.

ALABAMA.

Laws of 1856–7–8; new series of Reports of; vols. 25, 26, 27, 28, 29, 30, 31, and 32; new series of law Reports; second biennial Geological Report of.

ARKANSAS.

Vols. 1, 2, 3, 4, 5, and 6, English's Reports of; vols. 1, 2, 3, 5, Reports of; vol. 16, Pike's Rep.; Digest of Statutes of Arkansas, 1858; first vol. Geological Report of; Digest of the Statutes of 1858; one vol. Geological Report.

CALIFORNIA.

Vols. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, Duplicate Copies; Reports of; Statutes of, from 1854 to 1857 inclusive; Statutes of 1858 and 1859; Senate and Assembly Journals, and Appendix to, of 5th to 10th session inclusive—(dup.); Senate and Assembly Journals and Appendix to, and Statutes of 11th session; Governor's Message; transactions of State Agricultural Society.

Received—California Reports, vol. 16, duplicate copies; Statutes of 1861.

CONNECTICUT.

Vols. 2 to 22 inclusive, Reports of; vols. 3 and 4 private laws of; Compilation of 1854 laws of; Public Laws of 1855–6–7; Laws of 1860; public Acts of 1858–9; Journals of Assembly 1858; New Haven Colonial Records, 2 vols.; Colonial Records of Connecticut, 1 and 2; transactions of State Agricultural Society, 1859.

DELAWARE.

No Reports or Laws received.

FLORIDA.

Vols. 4, 5, 6, Report of; duplicate Journal House of Representatives 7th session; duplicate Journal of Senate 7th session; duplicate Journal House of Representatives 8th session; duplicate copies Journal and Laws of 20th session of Assembly; duplicate Journal Senate 8th session; duplicate Journal House of Representatives 9th session; duplicate Laws 8th and 9th session; vols. 7 and 8 Reports of.

GEORGIA.

Vols. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, Reports of.
No Reports or Laws received.

ILLINOIS.

Vols. 1, 3, 4, Scammon's Reports of; vols. 1, 2, 3, 4, 5, Gilman's Reports of; vols. 11, 12, 13, 14, (duplicate) 15, 16, 17, 18, 19, 20, Reports of; vols. 1, 2, Freeman's Digest of Reports; Laws of 1854 to 1857 inclusive; vols. 1, 2, Statutes of, D. B. Cook & Co.'s edition; three copies of Laws of 1859; Governor's Message; vols. 21, 22, Reports and Laws of 1860, (duplicate.)

INDIANA.

Reports 1848–9; vols. 1, 2, Carter's Reports of; vols. 3, 4, 5, 6, 7, Porter's Reports of; vols. 8, 9, Tanner's Reports of; Assembly Journals 1857; Revised Statutes.

Received—2 vols. Laws of 1861.

IOWA.

Vols. 1, 2, 3, G. Green's Reports of; vols. 1, 2, 3, 4, 5, 6, Clark's Reports of; Statutes 1853; Code of Iowa, 1851; School Laws, 1855; Laws of 1857; Code of 1856; Laws of 1858; vols 7, 8, Clark's Reports; Laws of 1859–60.

KANSAS.

Statutes of 1855; Laws 1857–8; Journals of House and Council 1857–58; Laws and Journals of Legislative Assembly 1859.

KENTUCKY.

Vols. 1 to 7 inclusive Monroe's Reports of; vols. 1 to 9 inclusive Dana's Reports of; vols. 1 to 10 inclusive, 12 to 15 inclusive, B. Monroe's Reports; Revised Statutes of 1852; vols. 1 to 7 inclusive J. J. Marshall's Reports; Governor's Message, and Laws of 1859–60; vols. 1, 2, Monroe & Harlan's Digest of Reports of; acts of Kentucky (triplicate copies) 1853–4; acts of Kentucky (duplicate copies) 1855–56; vol. 1 Metcalf's Reports; Revised States by R. H. Stanton, 2 vols.; vol. 2 Metcalf's Reports.

LOUISIANA.

Vols. 1 to 10 Martin's Reports of; vols. 1 to 10 Louisiana Reports; vols. 1 to 12 Robinson's Reports.

No Laws or Reports received.

MAINE.

Vols. 1 to 44 inclusive, Reports; Revised Statutes 1857; Laws 1857–8–9, duplicate copies; vols. 43, 44, Reports of; Virgin's Digest of; vol. 45 Maine Reports.

MARYLAND.

Vols. 1 to 9 Gill's Reports of; Laws of 1856–58; Convention Journals 1851; Senate and House Journals 1856–7–8; Public Laws of Maryland, vols. 1, 2; Laws of 1860.

MASSACHUSETTS.

Vols. 1 to 6 inclusive, Gray's Reports; vols. 1 to 17 inclusive, Reports of; vols. 1 to 21 inclusive, Pickering's Reports; vols. 1 to 12 inclusive, Metcalf's Reports; vols. 1 to 11 inclusive, Cushing's Reports; Catalogue of State Library; Laws 1856–7; 9 vols. Plymouth Colony Record; Public Documents 1858–9; vol. 7 Gill's Reports; Laws and Public Documents 1860.

Received—2 vols. Acts and Resolves 1861; 2 vols. Special Laws 1849 to 1853, inclusive; Public Documents, 3 vols., 1861; vol. 1 Allen's Reports.

MICHIGAN.

Vol. 1, Manning's Reports; vol. 1, Walker's Chancery Reports; vols. 1, 2, Douglas' Reports; vols. 2, 3, 4, Gibb's Reports; Laws 1857; vols. 1, 2, Cooley's Reports; Laws of 1859; School Reports of 1855–6–7; Transactions Agricultural Society, 1857; Laws 1860.

Received—Vol. 8, Michigan Reports.

MINNESOTA.

Statutes of, from 1849 to 1858; Laws of 1858 and 1859; Constitutional Debates of; vol. 1, Reports of; Laws and Journals of Assembly of 1860; Bank Report and Governor's Message.

Received—Executive Documents 1860; Senate Journal, 3d session; House Journal, 3d session; Statistics of Minnesota; vols. 1, 2, 3, 4, Minnesota Reports.

MISSISSIPPI.

Vols. 1 to 14 inclusive, Smeed's & Marshall's Reports; 1, 2, Cushman's Reports; vol. 24 Mississippi Reports; vols. 3, 4, George's Reports; Assembly Journals 1858; Laws of 1858; Laws 1859 and 1860.

MISSOURI.

Vols. 4 to 9, 11 to 22, 24 to 26, Reports of; Digest of Reports, Casselberry; Laws of 1859; Laws of 1857; Barkley's Digest of Reports.

NEW HAMPSHIRE.

Vols. 1 to 12 inclusive, Reports of; vols. 13, 19, second series of Reports of; vols. 1 to 10 inclusive, Foster's Reports of; vols. 1, 2, 3, 4, Foggs' Reports of; Bell's Digest Reports of; Laws of 1858;

Journals of Assembly, 1856 to 1859 inclusive; vols. 5, 6, Fogg's Reports; 12th Report of Common Schools; Catalogue of State Library; Laws of 1859 and 1860.

NEW JERSEY.

Vol. 1, Green's Reports of; vols. 2, 3, 4, Harrison's Reports of; vol. 1, Spencer's Reports of; vols. 1, 3, Southard's Reports of; vols. 1, 2, 3, 4, Zabriskie's Reports of; vols. 1, 2, 3, Green's Chancery Reports of; vols. 1, 2, Stockton's Chancery Reports of; Nixon's Digest of Laws, 1709 to 1755; Laws of 1855, 1856, 1857; vol. 2, Dutcher's Reports; Laws of 1859, 1860.

Received—Laws of 1861.

NEW YORK.

Vols. 1 to 20 inclusive, Johnson's Reports; 1 to 11, Paige's Chancery Reports; 1 to 9, Cowen's Reports; 1 to 26, Wendell's Reports; 1 to 70, Hill's Reports; 1 to 5, Denio's Reports; 1 to 4, Court of Appeals, 'Comstock;' 1 to 4, Smith's Reports; 1 to 7, Johnson's Chancery Reports; 1 Hopkins' Chancery Reports; 1, 2, 3, Revised Statutes, 2d edition, from 1828 to 1835; Laws of New York from 1836 to 1859 inclusive; 1 vol. Tax Laws; Index to Laws from 1842 to 1855; Code of Public Instruction; General Index to Laws of 1842; Code of Civil Procedure; Code of Criminal Procedure; 1 vol. Poor Laws; vols. 1, 2, 3, 4, Reports of the Commissioners on Practice and Pleadings, of Code of Procedure; 1 Supplement to the Code Procedure; Special Acts of Code of Civil and Criminal Procedure; vols. 1 to 10 inclusive, Colonial History; Convention Journal, 1846; 11 copies 71st Report Regent's University; 1 copy 11th Report Regent's University; 1 copy 72d Report Regent's University; 22 vols. Documents Assembly, 1857 to 1859; Report of Trustees State Library; vols. 1 to 3, Johnson's Case; 1 to 3, Cames' Reports; 1, 2, 3, Barbour's Chancery Reports; Parker's Criminal Reports, 2 vols.

Received—Laws of 1861; Journals of the Legislative Council from 1691 to 1743; 13th, 14th, 74th, Annual Report State University; 43d Annual Report State Library; Assembly Journal 4th session 1780.

NORTH CAROLINA.

Vols. 1 to 13 inclusive, Iredell's Law Reports; 1 Busbee's Law Reports; 1 Jones' Digest of Reports; 2 to 5, Jones' Law Reports; 1, 2, Devereux's Equity; 1 to 8 inclusive, Iredell's Equity; 1 Busbee's Equity; 2, 3, Jones' Equity; Revised Code of 1855; Laws of 1854, 1855, 1856, 1857.

No Laws or Reports received.

OHIO.

Vols. 1 to 9 inclusive, Hammond's Revised Reports; 1 to 6 inclusive, Hammond's State Reports; 1 Supreme State Reports; 1 Swann's Statutes, Derby's Edition; 7, 8, Ohio State Reports; Duplicate copies Ohio School Laws, 1858; Laws of Ohio, 1858; Nash's Digest; Laws of 1859.

Received—Vols. 10, 11, Ohio State Reports; Revised Statutes, 1861.

OREGON.

Laws of 1857, 1858; Journals of Council and House, 1857, 1858; Laws and Journals of 1859.

PENNSYLVANIA.

Vols. 1, 2, 3, 4, Dallas' Reports; 1, 2, 3, Reports of; 1 to 10 inclusive, Watts' Reports; 1 to 4, 6 to 9 inclusive, Watts and Sergeant's Reports; 1 to 17 inclusive, Sergeant and Rawle's Reports; vols. 1 to 23 inclusive, and vol. 25 State Reports; Laws of from 1789 to 1850, 1856, 1857, 1858, 1859, and 1860; Governor's Message and Public Documents 1860.

RHODE ISLAND.

Vols. 1, 2, 3, 4, 5, Reports of; Laws of 1855 to 1859 inclusive; Laws January and May sessions of 1858; Revised Statutes of; 4 vols. Colonial Records; Supplement to Revised Statutes; Index to Acts and Resolutions, 1758 to 1850. Census of the Colony 1774; Report General Assembly 1856 to 1859 inclusive; Laws of January session, 1860.

No Laws or Reports received.

SOUTH CAROLINA.

Vols. 1, 2, McCord's Reports of; vols. 1, 2, Nott and McCord's Reports; vol. Harper's Law Reports; vol. 9 Richardson's Law Reports; vol. 1 Bailey's Equity Reports; vol. 1 to 4 Equity Reports; vol. 1 Cheever's Law Cases; vol. 1 Cheever's Chancery Cases; Acts, Rep. of General Assembly 1852.

No Laws or Reports received.

TENNESSEE.

Vols. 2, 3, 4, 5, Smeed's Reports; Laws of 1859 and 1860; Public Documents and Papers of Assembly 1859, 1860; duplicate copies Code of; Laws of 1857 and 1858; Report of State Officers.

TEXAS.

Vols. 11, 13, 14, 15, 16, 17, 18, 19, 20, Reports; vol. 1 Digest of Reports; Laws of 1855, 1856; Code of 1857; Laws of 1857 and

1858; Oldham's and White's Digest Laws; House and Senate Journals.

UTAH TERRITORY.

Revised Laws of 1855, Laws of 1858.

VERMONT.

Vols. 28, 29, 30, Williams' Reports; Laws of 1858; Catalogue of State Library; History of, by B. H. Hall; Sermon delivered before the General Assembly; Report of the Geological Survey; Report on the Marbles of Vermont; Report of the Auditor of Accounts; Report of the Railroad Commissioner, 3d report; Report of the Board of Education, 2d report; Laws and Documents of Assembly of 1859, '60; Report of Auditor of Accounts 1859; Report on the Artificial Propagation of Fish; Report of Committee on Dred Scott decision; Geological Report of 1859; Journals of Assembly 1856, '57, '58, '59; First Registration Report, etc.; vols. 1 to 24 inclusive, Reports of; vols. 1 and 2 Tyler's Reports; vol. 1, Chapman's Reports; Reports of Cases 1793, 1821, '24; Reports of State Officers.

Received—Laws of 1861; 3d Registration Report 1859; House and Senate Journals 1860, and extra session, 1861.

VIRGINIA.

Vols. 1, 2, 3, 4, Hewing and Montfort's Reports; vols. 1, 2, 3, 4, 5, 6, Mumford's Reports; vols. 1 and 2 Robinson's Reports; Journal House of Delegates; 1, 2, 3, 4, 5, parts December; 1, 2, 3, 4, 5, 6, Randolph's Reports; 1 State Reports; 1 to 12 inclusive, Lee's Reports; Session 1857, '58; Laws of 1857, '58.

No Laws or Reports received.

WASHINGTON TERRITORY.

Laws of 1856, '57, '58; Journals of Council and House, 1856, '57; Journals of 1858; Laws and Journals Assembly of 1859, '60.

WISCONSIN.

Vols. 1 to 5 inclusive, Reports of; vols. 1 to 4 inclusive, Chandler's Reports; vol. 6 Wisconsin Reports; Private Laws of 1854; Laws of 1854; Private Laws of 1857; Laws of 1857; Private Laws of 1858; Revised Statutes of 1858.

Received—Vol. 11 Wisconsin Reports.

MISCELLANEOUS LAW LIBRARY.

Abbott on Shipping, 1 vol.; Adams on Ejectment, 1 vol.; Adams on Equity, 1 vol.; Angell on Law of Carriers, 1 vol.; Angell on

Fire and Life Insurance, 1 vol.; Angell on Limitations, 1 vol.; Archbold's Criminal Practice and Pleading, 3 vols.

Bacon's Abridgment, 10 vols., Beck's Medical Jurisprudence, 2 vols.; Bishop on Marriage and Divorce, 1 vol.; Bingham on Infancy, 1 vol.; Blackstone's Commentaries, Chitty, 2 vols.; Bright on Husband and Wife, 2 vols.; Browne's Civil and Admiralty Law, 2 vols.; Browne on Statute of Frauds, 1 vol.; Broome's Legal Maxims, 1 vol.; Bouvier's Law Dictionary, 2 vols.; Bouvier's Institutes, vol. 2; Burrill's Law Dictionary, 2 vols.

Cobb on Slavery, 1 vol.; Conkling's Treatise, 1 vol.; Curtis on Copyright, 1 vol.; Curtis on Patents, 1 vol.; Chitty on Bills, 1 vol.; Chitty's Pleading, 3 vols.; Chitty's Criminal Law, 1 vol.; Coke upon Littleton, 2 vols.

Dayton on Surrogates, 1 vol.; Dunlap's Admiralty Practice, 1 vol.; Dunlap's Paley's Agency, 1 vol.; Donat's Civil Law, Strahan, 1 vol.

Edwards on Receivers in Equity, 1 vol.; Edwards on Bills and Promissory Notes, 1 vol.; Edwards on Bailments, 1 vol.; English Law and Equity Reports, 24 vols.; English Common Law Reports, 91 vols.; English Chancery Reports, 43 vols.; English Courts of Admiralty Reports (Robinson) vol. 6; Exchequer Reports, Crompton and Jervis, 2 vols.; Exchequer Reports, Crompton, Meeson and Roscoe's, 2 vols.; Exchequer Reports, Crompton and Meeson's, 2 vols.; Exchequer Reports, McLeland and Younge's, 1 vol.; Exchequer Reports, Younge's, 1 vol.; Exchequer Reports, Younge and Jervis, 3 vols.; Exchequer Reports, Welsby, Hurlstone and Jordan's, 10 vols.; Exchequer Reports, Meeson and Welsby's, 16 vols.; Earne on Remainders, 2 vols.

Graham's and Waterman's New Trials, 3 vols.; Gow on Partnership, 1 vol.; Gould's Pleadings, 1 vol.; Greenleaf's Overruled Cases, 1 vol.

Hilliard on Mortgages, 1 vol.; Hawkins' Pleas of the Crown, 2 vols.; Hill on Trustees, 1 vol.; Hugo Grotius on War and Peace.

Jarman on Wills, 2 vols.

Kent's Commentaries, 4 vols.; Kyd on Awards, 1 vol.

Leading Cases in Equity, (Hare and Wallace's Notes,) 3 vols.

Marshall on Insurance; 2 vols.; Mitford's Chancery Pleadings, (English,) 1 vol.; Morehead's Practice, 1 vol.

Parsons on Contracts, 2 vols.; Phillips on Insurance, 2 vols.; Phillips on Evidence, 5 vols.

Roberts on Frauds, 1 vol.; Roper on Legacies, 2 vols.; Roscoe's Criminal Evidence, 1 vol.; Russell on Crimes, 1 vol.

Saunders on Pleading and Evidence, 3 vols.; Sedgwick on Measure of Damages, 1 vol.; Sheppard's Touchstone, 3 vols.; Smith's Commentaries on Constitutional Construction, 1 vol.; Smith's Leading Cases, 2 vols.; Starkie on Slander, 2 vols.; Story on Agency, 1 vol.; Story on Bailments, 1 vol.; Story on Constitution, vol. 2; Story on Contracts, 1 vol. ; Story on Conflict of Laws, 1 vol.; Story on Equity Pleadings, 1 vol.; Story's Equity, vol. 2; Story on Partnerships, 1 vol.; Story on Sales, 1 vol.; Sugden on Venders, 1 volume.

The Reporters, by John W. Wallace, 1 vol.

U. S. Statutes, Reports, etc.—Cranch's Reports of, vols. 3 to 9 inclusive; Wheaton's Reports of, vols. 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12; Peter's Reperts of, vols. 1 to 16 inclusive; Howard's Reports of, from 1 to 21 inclusive; McLean's Reports of, vols. 1 to 6 inclusive; Gordon's Digest of; Opinions of Attorneys General, from 1789 to 1850; Opinions of Attorney General, vols. 1 to 5 inclusive; Statutes at Large of, vols. 1 to 11 inclusive; Digest of Laws of, from 7 to 14 inclusive; Annals of Congress, from its first session to the 2d volume of the first session of the 18th Congress, 55 vols.; American Archives of, from 1774 to 1776, 6 vols.; Documents of Congress, 1,117 vols.; Exploring Expedition of Charles Wilkes, 10 vols.

Received—35 vols. U. S. Statutes, at Large and Treaties, 1st session, 36th Congress; 35 vols. do. do. 1st session 37th Congress; vol. 24 Howard's S. Court Reports; Congress Documents, 360 vols.

Viner's Abridgment, 24 vols.; Viner's Supplement, 6 vols.

Waterman's Eden on Injunctions, 1 vol.; Wheaton's Selwyn, 2 vols.; Wigram on Discovery, 1 vol.; Willard's Equity Jurisprudence, 1 vol.

The Monthly Journal of American Geographical and Statistical Society, 9 volumes.

The governor having concluded his message.

On motion of Mr. Kirkpatrick the joint convention was dissolved.

Mr. Bowen of Washington, offered the following resolution:

Resolved, That the clerk be directed to procure the printing of three thousand copies of the governor's message, with the accompanying documents in English, and fifteen hundred copies in German, for the use of this house.

Laid over under the rules.

Mr. Bowen of Washington, on leave, introduced house file No. 1. Joint resolution relative to translating the governor's message.

Read first time.

Rules suspended and resolution, by its tittle, read second time and ordered engrossed for a third reading to-morrow.

The following message was received from the council:

Mr. Speaker:

I am instructed to inform your honorable body that Messrs. Dundy and Bennet, of the council, have been appointed a committee to confer with a similar one from the house, relative to joint rules.

ROBT. W. FURNAS, Chief Clerk.

The following notices of bills were given:

By Mr. Croxton of Otoe, of A bill to amend the revenue laws.

Also, of A bill to define the duties and liabilities of county treasurers.

Also, of A bill to amend section three of the code of civil procedure.

By Mr. Leaming of Burt, of A bill to incorporate the Decatur and Pacific railroad company.

Also, of A bill to establish a ferry at Decatur.

Also, of A bill to confer the election franchise to citizens residing temporary on Indian reservations.

Also, of A bill to legalize the tax in Burt county for the year 1861.

By Mr. Holladay of Nemaha, of A bill relative to a military act.

Mr. Griffin of Douglas, moved that the house adjourn until 10 o'clock to-morrow morning.

Carried.

And the house at 4 o'clock, P. M., adjourned.

GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Wednesday, December, 4, 1861.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Rev. Mr. Hart.

Journal read and approved.

Mr. Clark of Douglas, moved that the roll hereafter be called immediately in the morning after prayer by the chaplain.

Carried.

Roll called.

Absent—Mr. Griffin.

Mr. Reed, member elect from the county of Nemaha, appeared in his seat.

Mr. Holladay of Nemaha, moved that a committee of two be appointed to wait on the secretary and request him to administer the oath of office to Mr. Reed.

Carried.

Messrs. Holladay and McLaughlin appointed such committee.

Thereupon the secretary appeared in the hall and administered the oath of office to Mr. Reed.

Mr. Croxton of Otoe, presented the petition of Wm. B. Hail, and three others, asking that the streets and alleys lying west of Fourtheenth street, in Hail & Company's additition to Nebraska City, be vacated, and that the lots, blocks, streets and alleys within said limits be set without the boundary of Nebraska City.

The following notices of bills were given:

By Mr. Allgawahr of Richardson, of A bill for an act to authorize H. W. Summerlad and Rev. Walther to keep a ferry across the Missouri river at the city of Arago, Richardson county.

Also, of A bill for an act to establish an agency to promote and encourage emigration to the Territory of Nebraska.

The following message was received from the council:

Mr. Speaker:

I am instructed to inform your honorable body that the council has passed council bill No. 3, A bill for an act to incorporate the Falls City Library Association, and the concurrence of the house is respectfully requested.

ROBT. W. FURNAS, Chief Clerk.

Mr. Holladay of Nemaha, introduced the following resolution:

PREAMBLE AND RESOLUTIONS.

Whereas, The country we all love so much and revere; the liberties secured by the blood of our revolutionary fathers, and which have, through succeeding generations, been transmitted to us as an inestimable inheritance, are being jeopardized, and their perpetuity threatened by an internicine foe; a people with whom we have for nearly a century past fraternized as one great and common family, but whose conduct now leads us to exclaim "For it was not an enemy that reproached me: then it could have borne it, but it was then a man, mine equal, my guide, and my acquaintance."

And whereas, all reason has seemed in vain, and painful as it may be, it has become necessary that the powerful arm of the government must be brought into requisition to preserve and perpetuate itself: the most beneficient the world ever saw, and as the "powers that be" in whose keeping the people have entrusted the sacred boon have been and are now endeavoring to perform faithfully its duties, it becomes the duty not only of individuals, associations and communities, but of the legislative assemblies of the states and territories to constitute "words of cheer," and show forth by expression, desires for and confidence in the efforts to crush out treason, put down rebellion, and restore peace, harmony and prosperity between the north and south, old friendship restored and all the relations of uninterrupted brotherhood respected.

Therefore be it resolved, That we approve of the war by our government for the suppression of the causeless and unholy rebellion now waged against it.

Resolved, That we hold rebellion against our government to be outside the pale of its protection.

Resolved, That we do earnestly pray the administration to use every means in its power to maintain the cause of the government, protect the flag of our country on every inch of American soil, suppress the rebellion, and show forth to the world that we have yet a government.

Resolved, That we earnestly recommend to the Congress of the United States, now assembled at the city of Washington, to so amend the act to confiscate certain property as to embrace all the rights of rebels in all kind of property.

Laid over under the rules.

The following notices of bills were given:

By Mr. Crow of Nemaha, of A bill to provide for an estray law.

Mr. Holladay of Nemaha, moved that the sergeant-at-arms wait upon the secretary of the territory and request him to procure a mail bag for the use of the members of the house.

Carried.

Mr. Croxton of Otoe, on leave, introduced house file No. 2. An act to amend the revenue law.

Read first time.

Mr. Croxton of Otoe, on leave, introduced house file No. 3. A bill for an act to amend the civil code.

Read first time.

The following notices of bills were given:

By Mr. Larsh of Otoe, of A bill for an act to vacate a part of the town site of Elmwood City, Otoe county.

By Mr. Closser of Otoe, of A bill for an act to encourage wool growing.

Also, of A bill for an act to amend the school law.

Also, of A bill for an act to amend the estray law.

The following message was received from the council:

Mr. Speaker:

I am instructed to inform your honorable body that the council has passed council bill No. 6. A bill for an act to repeal land tax of three dollars on quarter section, and the concurrence of the house is respectfully requested.

ROBT. W. FURNAS, Chief Clerk.

Mr. Closser of Otoe, on leave, introduced house file No. 4. A bill for an act to encourage wool growing.

Read first time.

By Mr. Reynolds of Otoe, of A bill for an act to encourage the manufacture of salt in Nebraska Territory.

Also, of A bill for an act to amend the license law.

Also, of A memorial and joint resolution for the adjournment of this house (the council concurring) on Monday the 9th day of December, 1861, and asking Congress, by special act, to divert the twenty thousand dollars appropriated for legislative expenses, to the payment of the Federal tax levied upon Nebraska Territory.

Mr. Clark of Douglas, moved that the sergeant-at-arms be instruced to call each morning, during the session, at each of the printing offices of the city, and also at the post office, for papers, documents and mail matter for members of this house.

Carried.

Mr. Clark of Douglas, introduced the following preamble and resolutions:

Whereas, The country is now shaken beneath the tread of two mighty armies, the one marshaled for the re-establishment of the constitutional authority of the government throughout the whole Union, the other organized for its overthrow; and,

Whereas, We believe this to be a crisis in the history of the nation in which it may well be said that he who is not for us is against us; therefore

Resolved, That this body deems it its first duty to renew its vows of allegiance to the Federal Government, and to re-affirm its devotion to the constitution bequeathed to us by the wise and good men who established our liberties.

Resolved, That, disavowing as we do the right of any state or states to nullify a Federal law or secede from the Federal Union, we regard such secession or nullification as treason against the United States, and believe it to be the first and holiest duty of the government to uphold its laws and repress treason.

Resolved, That we most heartily endorse the following resolution of the Congress of the United States, namely:

"That the present civil war has been forced upon the country by the disunionists of the southern states now in arms against the constitutional government, and in arms around the capitol; that in this national emergency, Congress, banishing all feeling of mere passion or resentment, we recollect only its duty to the whole country. That this war is not waged on their part in any spirit of oppression, or for any purpose of conquest or subjugation, or purpose of overthrowing or interfering with the rights or established institutions of those states, but to defend and maintain the supremacy of the constitution, and to preserve the Union with all the dignity, equality and rights of the several states unimpaired, and that as soon as those objects are accomplished the war ought to cease."

Resolved, That as in times past Nebraska has ever been dutiful and obedient to paramount law, the constitution and laws of the United States, so in the future it will remain faithful and loyal to that paternal government which has been the source of prosperity and progress.

Resolved, That relying upon the justice and righteousness of the holy cause in which the nation has been called to arms, and fully endorsing and sustaining the determination of the government alike to quell internal rebellion and resist and repel external insolence or invasion, and believing it to be the very glory of American citizenship to follow the flag whithersoever, whensoever or by whomsoever it may be borne aloft, and with a just sense of the responsibility which the declaration involves, we declare "we are for our country and against all assailants."

Resolved, That whenever an American citizen unsheathes his sword or shoulders his musket at his country's call, he should leave the spoilsman, the partizan and the politician in a nameless grave behind him.

Laid over under the rules.

The following notices of bills were given:

By Mr. Griffin of Douglas, of A bill to restrain stock from running at large in the Territory of Nebraska.

By Mr. Allen of Washington, of A bill to restrain horses, cattle, sheep and swine, from running at large in Logan precinct, Washington county.

Also, of A bill for an act concerning highways, the road fund, and to fully define the duties of supervisors.

By Mr. Hagaman of L'Eau qui Court, of A bill for an act locating a territorial road from Ponca, in Dixon county, Nebraska Territory, to Niobrara, in L'Eau qui Court county, Nebraska Territory.

Also, of A bill for an act legalizing the acts of the county commissioners of L'Eau qui Court county, for the year 1861.

Also, of A bill for an act establishing a ferry across the Missouri river at Elm Grove, in Cedar county, Nebraska Territory.

By Mr. McLaughlin of Dakota, of A bill for an act to amend the act of incorporation of Dakota City.

Also, A bill for an act to locate and establish a territorial road from Dakota City to Fort Kearney, or some other point on the Platte river.

Also, A bill for an act to locate and establish a territorial road from St. Johns to Ionia.

Also, A bill for a memorial and joiut resolution relative to a mail route from Dakota City to Niobrara.

Also, A bill for an act to amend the revenue law.

Also, A bill for an act to collate the laws of Nebraska.

Also, A bill for an act establishing a ferry charter opposite Yancton, at a point known as Elm Grove, in Cedar county.

Also, A bill for an act to establish a territorial road from Ponca City to Niobrara.

Mr. McLaughlin of Dakota, on leave, introduced house file No. 5. A bill for an act to establish a territorial road from Ponca City to Niobrara.

Read first time.

The following notices of bills were given:

By Mr. Barnard of Dodge, of a bill to authorize county commissioners to lease the school lands in their respective counties.

Also, A bill to legalize the levy and assessment of taxes in the county of Dodge, for the years 1860 and 1861.

Also, A bill authorizing the people of Dodge county to form herding societies, and enforce the collection of their bills.

By Mr. Reck of Platte, of A bill for an act to legalize certain acts of the county commissioners of Platte county.

Also, A bill for an act for the protection of fencing.

Also, A bill for an act for the relief of Francis G. Beecher.

By Mr. Seymour of Douglas, of A joint memorial to congress, asking them to divert the appropriation of $20,000 intended for this territory, and apply the same to the payment of the taxes of non residents of the territory, who hold our lands and prevent its settling, to the great detriment of actual settlers.

By Mr. Griffin of Douglas, of A bill for an act to change the time for the meeting of the territorial legislature.

By Mr. Clark of Douglas, of A bill for an act to define the boundaries of certain judicial districts of this territory.

By Mr. Clarke of Sarpy, of A bill for an act to establish a territorial road from Bellevue, Sarpy county, to Elkhorn City, Douglas county.

Also, of A bill for an act for a territorial road from Bellevue, Sarpy county, to Omaha City, Douglas county.

Mr. Wattles, from committee appointed to wait upon the honorable secretary relative to newspapers and postage, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred the subject of newspapers for members, and postage, beg leave to report that the secretary has instructed your committee to report that members will be entitled to the sum of three dollars for newspapers, and a reasonable amount (by frank) for postage. S. H. WATTLES.

Report accepted, and adopted.

The speaker presented a copy of an index to the rules of the house, and requested that the same might be printed with the rules.

Accepted, and referred to the committee on rules and joint rules.

Council bill No. 3. A bill for an act to incorporate the Falls City Library Association, was taken up.

Read first time.

Council bill No. 6. A bill for an act to repeal land tax of three dollars on quarter section, was taken up.

Read first time.

Mr. Croxton of Otoe, moved that the rules be suspended, and council bill No. 3, A bill for an act to incorporate the Falls City Library Association, be read a second time now.

Lost.

Mr. Reck introduced the following resolution:

Resolved by the House of Representatives of the Territory of Nebraska, That the regular hour for the meeting of the house shall be at 10 o'clock, A. M.

Rules suspended, and the resolution taken up.

Mr. Holladay of Nehama, moved to amend, by striking out "ten" and inserting "nine."

Lost.

Mr. Bowen of Washington, moved to amend, by adding "and — o'clock the hour of adjourning, until otherwise ordered."

Carried.

Mr. Bowen of Washington, moved that the blank be filled by inserting 12½ o'clock, P. M.

Mr. Reck of Platte, moved to lay the amendment on the table.

Lost.

Amendment lost.

Mr. Holladay of Nemaha, moved to amend, by inserting "one o'clock, P. M."

Lost.

Mr. Allen of Washington, moved the blank be filled by inserting "12¾."

Lost.

Mr. Bowen of Washington, moved that the blank be filled by inserting "12¼."

Carried.

Resolution, as amended, adopted.

On motion of Mr. Seymour of Douglas, the house at 12 o'clock, M., adjourned.

GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Thursday, December 5, 1861.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Roll called.

Absent—Messrs. McLaughlin, Leaming, Wattles and Clarke of Sarpy.

Journal of yesterday's session read and approved.

The speaker announced the following standing committees:

Privileges and elections—Messrs. Crow, O'Connor, Cahn, Wiles and Porter.

Ways and Means—Messrs. Croxton, Seymour, Bowen, Birchfield and Clarke of Sarpy.

Judiciary—Messrs. Allen, Croxton, Butler, Chapin and Barnard.

Accounts and Expenditures—Messrs. Reck, Blakely, Chalfant, Porter and Leaming.

Agriculture—Messrs. Griffin, Butler, Closser, Rowles and Eikenberry.

Roads—Messrs. Hagaman, Davis, Buchanan, Eikenberry and Rowles.

Militia—Messrs. Bowen, Holladay, Cahn, Birchfield and Hagaman.

Public Buildings and Grounds—Messrs. Clarke of Sarpy, Beall, Crothers, Bates and Chalfant.

Federal relations—Messrs. Seymour, Reynolds, Ewing, Reed, and O'Connor.

Internal Improvements—Messrs. Wattles, Barnard, Crow, Reck and Wiles.

Engrossed and Enrolled Bills—Messrs. Holladay, McLaughlin, Davis, Chapin and Ewing.

Boundaries and County Seats—Messrs. Davis, Hagaman, Beall, Closser and Crothers.

Corporations—Messrs. Reynolds, Butler, Barnum, Seymour and Leaming.

Library—Messrs. Butler, Allgawahr, Blakely, Barnum, and Leaming.

Banks—Messrs. Wattles, Buchanan, Reed, Bates and Allen.

Common Schools and Colleges--Messrs. Clark of Douglas, Barnard, Larsh, McLaughlin and Holladay.

Public Printing—Messrs. Larsh, Griffin, Allgawahr, Clark of Douglas, and Wattles.

Mines and Minerals—Messrs. Chapin, Clarke of Sarpy, Reck, Crothers and McLaughlin.

Mr. Clark of Douglas, presented the memorial of Henry Grebe, relative to a plan of encouraging immigration to Nebraska.

Also, to a plan of growing timber.

Read and referred to committee on federal relations.

The following notices of bills were given:

By Mr. Butler of Pawnee, of A bill for an act for a new apportionment of representatives.

By Mr. Blakely of Gage, of A bill for an act for the assessment and collection of taxes in certain unorganized counties of this territory.

By Mr. Holladay of Nemaha, of A joint resolution and memorial, relative to the diverting of the usual appropriation for the years 1862 and 1863, to defray the expense of the legislature of Nebraska, to the payment of the federal taxes; for the purpose of prosecuting the present war.

Also, of A bill for an act to provide for the better collection of fines and costs.

By Mr. Croxton of Otoe, of A bill to amend the law allowing the funding of the indebtedness of the territory.

Also, of A memorial and joint resolution, praying the Congress of the United States to exempt the Territory of Nebraska from the direct tax levied on said territory by the general government.

By Mr. Davis of Douglas, of A bill for an act for the laying out of county and territorial roads.

Also, of A bill for an act to regulate the laying out of town sites.

Also, of A bill for an act to legalize the tax levy of Douglas county, for 1861.

By Mr. Seymour, A bill for an act to provide for the collection of the federal tax, assessed on this territory by the revenue officers of the territory.

Also, to increase the bonds of the territorial treasurer.

Also, A bill requiring certain territorial and county officers to give bonds, secured by pledges of approved real estate.

Also, A bill for the reduction of salaries and fees of certain territorial and county officers.

Also, of A joint memorial, asking Congress to establish a marine hospital at Omaha City, Nebraska.

Also, of A joint memorial, asking Congress to maintain a United States arsenal within the territory.

By Mr. Clark of Douglas, of A bill for an act to authorize the treasurer of Douglas county to re-offer, by public sale, all lands in said county delinquent for the taxes of 1860.

By Mr. Allen of Washington, of A bill for an act fixing the time for certain officers to qualify, and give power to demand additional security on their official bonds.

Mr. Allgawahr of Richardson, introduced house file No. 6. A bill for an act to authorize H. W. Summerlad and Geo. Walther to establish a ferry across the Missouri river, at Arago, Richardson county, Nebraska Territory.

Read first time.

Mr. Reynolds of Otoe, introduced house file No. 7. Memorial and joint resolution, relative to adjournment.

Read first time.

Mr. Clark of Douglas, moved that the rules be suspended, and that the bill be read a second time now.

Lost.

Mr. Allen of Washington, introduced house file No. 8, A bill for an act relative to roads, and to regulate the disposal of the road fund, and fully define the duties of supervisors.

Read first time by its title.

Mr. Leaming of Burt, introduced house file No. 9. A bill for an act to legalize the tax levy of 1861, in Burt county.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on ways and means.

Mr. Leaming of Burt, introduced house file No. 10. A bill for an act to establish a ferry at Decatur.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on corporations.

Mr. Leaming of Burt, introduced house file No. 11. A bill for an act to restrain sheep and swine from running at large in Burt county.

Read first time.

Rules suspended. Bill read second time by its title, and referred to the committee on agriculture.

Mr. McLaughlin of Dakota, introduced house file No. 12. A bill for an act to locate and establish a territorial road from St. Johns to Ionia.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on roads.

Also, house file No. 13. A memorial and joint resolution relative to mail route.

Read first time.

Rules suspended. Bill read second time by its title, and reported to a special committee, consisting of Messrs. McLaughlin, Porter and Beall.

Mr. Croxton of Otoe, introduced house file No. 14. A bill for an act to amend an act, entitled an act to amend an act to consolidate the corporation of Nebraska City, South Nebraska City and Kearney City, and to incorporate Nebraska City.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Mr. Hagaman of L'Eau qui Court, introduced house bill No. 15. A bill for an act to legalize the acts of county commissioners of L'Eau qui Court county.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committe on judiciary.

Mr. Barnard of Dodge, introduced house file No. 16. A bill for an act to legalize taxes in the county of Dodge, for the year 1861.

Read first time.

Rules suspended. Bill read second time by its title and referred to committee on judiciary.

The following notices of bills were given:

By Mr. Beall of Hall, A bill for an act to locate the county seat of Hall county.

Also, to authorize Marshall Townsley to erect a mill dam across Wood river, in Hall county.

Also, to incorporate a company to build a bridge across Platte river, at or near Ft. Kearney.

By Mr. Reck of Platte, of A bill for an act to create the counties of Hall, Buffalo and Kearney, one election district for respresentatives.

Also, A bill for an act to attach Platte, Hall, Buffalo and Kearney counties, to a council district.

Also, A bill to locate a road from Columbus to St. Helena.

Also, A bill for an act to locate a road from Columbus to Shell creek.

Mr. Seymour of Douglas, offered the following resolution:

Resolved, That a committee of three on the part of the house, be appointed by the speaker, to act with a similar committee on the part of the council, for the purpose of examining the books of the treasurer and cancelling the warrants in his possession, and that the clerk notify the council of the action of the house.

Laid over under the rules.

Mr. Clark of Douglas, chairman of the committee on rules, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred the subject of rules for the government of the house at its present session, also, joint rules for the government of the house and council, have instructed me to report that they have discharged said duty, and respectfully submit the following copy of the same as their report thereon. Your committee also recommend the adoption of the following resolutions:

Resolved, That two hundred copies of the rules, together with the index to the same be presented to the house by the speaker, be printed for the use of the house.

Resolved, That the committee be discharged from the further consideration of the subject.

WM. H. CLARK, Chairman.
JOHN S. BOWEN.
E. H. BARNARD.

On motion, report accepted and adopted.

RULES OF THE HOUSE.

OF THE DUTIES OF THE SPEAKER.

1. He shall take the chair every day precisely at the hour to which the house shall have adjourned on the preceding day; shall immediately call the members to order; and, on the appearance of a quorum, shall cause the journal of the preceding day to be read.

2. He shall preserve order and decorum; may speak to points of order in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the house by any two members, on which appeal no member shall speak more than once, unless by leave of the house.

3. He shall rise to put a question, but may state it sitting.

4. Questions shall be distinctly put in this form, to wit: "As many as are of opinion that (as the question may be) say Aye;" and after the affirmative voice is expressed, "As many as are of the contrary opinion, say No." If the speaker doubts, or a division be called for, the house shall divide; those in the affirmative of the question shall first rise from their seats, and afterwards those in the negative.

5. When any motion or proposition is made, the question, "Will the house now consider it?" shall not be put, unless it is demanded by some member, or it is deemed necessary by the speaker.

6. The speaker shall examine and correct the journal before it is read. He shall have a general direction of the hall. He shall have a right to name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment.

7. All committees shall be appointed by the speaker, unless otherwise specially directed by the house, in which case they shall be appointed by ballot; and if, upon such ballot, the number required shall not be elected by a majority of the votes given, the house shall proceed to a second ballot, in which a plurality of votes shall prevail; and in case a greater number than is required to compose or complete a committee shall have an equal number of votes, the house shall proceed to a further ballot or ballots.

8. In all other cases of ballot than for committees, a majority of the votes given shall be necessary to an election; and where there shall not be such a majority on the first ballot, the ballot shall be repeated until a majority be obtained. And in all ballotings, blanks shall be rejected, and not taken into the count in enumeration of votes, or reported by the tellers.

9. In all cases of an election by the house, the speaker shall vote; in other cases he shall not vote, unless the house be equally divided, or unless his vote, if given to the minority, will make the division equal; and, in case of such equal division, the question shall be lost.

10. In all cases where other than a member of the house shall be eligible to an office by the election of the house, there shall be a previous nomination.

11. In all cases of election by the house of its officers the vote shall be taken *viva voce.*

12. All acts, addresses and joint resolutions, shall be signed by the speaker; and all writs, warrants, and subpœnas, issued by order of the house, shall be under his hand and seal, attested by the clerk.

13. In case of any disturbance or disorderly conduct in the galleries or lobby, the speaker (or chairman of the committee of the whole house) shall have power to order the same to be cleared.

14. No person, except members of the council, their secretary, governor, secretary, judges of the supreme court, marshal, attorney-general of the territory, and chaplain of the legislative assembly, and such other persons as the house may deem it proper to admit, shall be admitted within the hall of the house of representatives.

ORDER OF BUSINESS OF THE DAY.

15. As soon as the roll is called and the journal read, the speaker shall call for petitions.

16. After which, resolutions, notices and motions; which order of business shall be called each day during the session of the legislative assembly; and all resolutions which shall give rise to debate, shall lie over for discussion one day.

17. After one hour shall have been devoted to reports from committees and resolutions, it shall be in order, pending the consideration or discussion thereof, to entertain a motion that the house do now proceed to dispose of the business on the speaker's table, and to the orders of the day, which, being decided in the affirmative, the speaker shall dispose of the business on his table in the following order, viz:

1st. Messages and other executive communications.

2d. Messages from the council and amendments proposed by the council to bills of the house.

3d. Bills and resolutions from the council on their first and second reading, that they be referred to the committees, and put under way; but if, on being read a second time, no motion be made to commit, they are to be ordered to their third reading, unless objection be made, in which case, if not otherwise ordered by a majority of the house, they are to be laid on the table in the general file of bills on the speaker's table, to be taken up in their turn.

4th. Engrossed bills, and bills from the council, on their third reading.

5th. Bills of the house and from the council, on the speaker's table, on their engrossment, or on being ordered to a third reading, to be taken up and considered in the order of time in which they passed to a second reading. The messages, communications, and bills on his table, having been disposed of, the speaker shall then proceed to call the orders of the day.

OF DECORUM AND DEBATE.

18. When any member is about to speak in debate, or deliver any matter to the house, he shall rise from his seat, and respectfully address himself to "Mr. Speaker," and shall confine himself to the question under debate, and avoid personalities.

19. If any member, in speaking or otherwise, transgress the rules of the house, the speaker shall, or any member may, call to order, in which case the member so called to order shall immediately sit down, unless permitted to explain; and the house shall, if appealed to, decide on the case, but without debate; if there be no appeal, the decision of the chair shall be submitted to. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, he shall not be permitted to proceed, in case any member object, without leave of the house; and, if the case require it, he shall be liable to the censure of the house.

20. If a member be called to order for words spoken in debate, the person calling him to order shall repeat the words excepted to, and they shall be taken down in writing, at the clerk's table; and no member shall be held to answer, or be subject to the censure of the house, for words spoken in debate, if any member has spoken, or other business intervened, after the words spoken, and before exception to them shall have been taken.

21. When two or more members happen to rise at once, the speaker shall name the member who is to speak.

22. No member shall speak more than once to the same question, without leave of the house, unless he be the mover, proposer, or introducer of the matter pending; in which case he shall be permitted to speak in reply, but not until every member choosing to speak shall have spoken.

23. If a question pending be lost by adjournment of the house, and revived on the succeeding day, no member who shall have spoken on the preceding day, shall be permitted again to speak without leave.

24. While the speaker is putting any question, or addressing the house, none shall walk out of or across the house; nor, in such case, or when a member is speaking, shall entertain private discourse; nor while a member is speaking shall pass between him an the chair. Every member shall remain uncovered during the session of the house. No member, or other person shall visit, or remain by the clerk's table while the ayes and nays are calling, or ballots are counting.

25. No member shall vote on any question, in the event of which he is immediately and particularly interested, or in any case where he was not within the bar of the house when the question was put. And when any member shall ask leave to vote, the speaker shall propound to him the question, "Were you within the bar when your name was called?"

26. Upon a division and count of the house on any question, no member without the bar shall be counted.

27. Every member who shall be in the house when the question is put shall give his vote, unless the house, for special reasons, shall excuse him. All motions to excuse a member from voting shall be made before the house divides, or before the call of the ayes and nays is commenced; and any member requesting to be excused from voting, may make a brief verbal statement of the reasons for making such request, and the question shall then be taken without further debate.

28. When a motion is made and seconded, it shall be stated by the speaker; or, being in writing, it shall be handed to the chair, and read aloud by the clerk before debated.

29. Every motion shall be reduced to writing, if the speaker, or any member, desire it.

30. After the motion is stated by the speaker, or read by the clerk, it shall be deemed to be in possession of the house, but may be withdrawn at any time before a decision or amendment.

31. When a question is under debate, no motion shall be received but to adjourn, to lie on the table, for the previous question, to postpone to a day certain, to commit or amend, to postpone indefinitely; which several motions shall have precedence in the order in which they are arranged; and no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall again be allowed on the same day, and at the same stage of the bill or proposition. A motion to strike out the enacting words of a bill shall have precedence of a motion to amend, and if carried, shall be considered equivalent to its rejection.

32. When a resolution shall be offered, or a motion made to refer any subject, and different committes shall be proposed, the question shall be taken in the following order:

The committee of the whole; a standing committee; a select committee.

33. A motion to adjourn, and a motion to fix the day to which the house shall adjourn, shall be always in order; these motions, and the motion to lie on the table, shall be decided without debate.

34. The hour at which every motion to adjourn is made shall be entered on the journal.

35. The previous question shall be in this form, "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members present, and its effect shall be to put an end to all debate, and bring the house to a direct vote upon amendments reported by a committee, if any, upon pending amendments, and then upon the main question. On a motion for the previous question, and prior to the seconding of the same, a call of the house shall be in order; but after a majority shall have seconded such motion, no call shall be in order prior to a decision of the main question.

36. On a previous question there shall be no debate. All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

37. Any member may call for the division of a question, which shall be divided, if it comprehend propositions in substance so distinct that one being taken away, a substantive proposition shall remain for the decision of the house. A motion to strike out and insert shall be deemed indivisible; but a motion to strike out being lost, shall preclude neither amendment nor a motion to strike out and insert.

38. Motions and reports may be committed at the pleasure of the house.

39. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment. No bill or resolution shall, at any time, be amended by annexing thereto, or incorporating therewith any other bill or resolution pending before the house.

40. When a motion has once been made and carried in the affirmative or negative, ~~it shall be in~~ order for any member of the majority to move for the reconsideration thereof on the same or succeeding day; and such motion shall take precedence of all other questions, except a motion to adjourn.

41. When the reading of a paper is called for, and the same is objected to by any member, it shall be determined by a vote of the house.

42. The unfinished business in which the house was engaged at

the last preceding adjournment shall have the preference in the orders of the day; and no motion on any other business shall be received without special leave of the house, until the former is disposed of.

43. Every order, resolution or vote, to which the concurrence of the council shall be necessary, shall be read to the house and laid on the table, on a day preceding that in which the same shall be moved, unless the house shall otherwise expressly allow.

44. Any five members shall be authorized to compel the attendance of absent members, and also to call the ayes and nays.

45. Upon calls of the house, or in taking the ayes and nays upon any question, the names of the members shall be called alphabetically.

46. No member shall absent himself from the service of the house, unless he have leave, or he be sick, or unable to attend.

47. Upon the call of the house, the names of the members shall be called over by the clerk, and the absentees noted; after which the names of the absentees shall be again called over; the doors shall then be shut, and those for whom no excuses are made, may, by order of those present, if five in number, be taken into custody, as they appear, or may be sent for and taken into custody, wherever found, by special messengers to be appointed for that purpose.

48. When a member shall be discharged from custody, and admitted to his seat, the house shall determine whether such discharge shall be with or without paying fees; and in like manner, whether a delinquent member, taken into custody by a special messenger, shall, or shall not be liable to defray the expenses of such special messenger.

49. A sergeant-at-arms shall be appointed, to hold his office during the pleasure of the house, whose duty it shall be to attend the house during its sittings; to execute the commands of the house from time to time; together with all such process issued by authority thereof, as shall be directed to him by the speaker.

50. The fees of the sergeant-at-arms shall be—for every arrest, the sum of two dollars; for each day's custody and releasement, one dollar; and for traveling expenses for himself or a special messenger, going and returning, one-tenth of a dollar per mile.

51. The sergeant-at-arms and door-keeper shall be sworn to keep the secrets of the house.

52. Eighteen standing committees shall be appointed at the commencement of each session, viz:

Committee on privileges and elections.
" " ways and means.
" " judiciary.
" " accounts and expenditures.
" " agriculture.
" " roads.

Committee on militia.
" " public buildings and grounds.
" " internal improvements.
" " federal relations.
" " engrossed and enrolled bills.
" " county boundaries and county seats.
" " corporations.
" " library.
" " banks and currency.
" " common schools, colleges and universities.
" " public printing.
" " mines and minerals.

53. It shall be the duty of the committee of elections to examine and report upon the certificates of election, or other credentials of the members returned to serve in this house; and to take into their consideration all such petitions, and other matters touching elections and returns, as shall or may be presented, or come into question, and be referred to them by the house.

54. The several standing committees of the house shall have leave to report by bill or otherwise.

55. It shall be the duty of the clerk of the house, at the end of each session, to send a printed copy of the journals thereof to the executive, and to each branch of the legislature of every state.

56. All questions of order shall be noted by the clerk, with the decision, and put together at the end of the journal of every session.

OF BILLS.

57. Every bill shall be introduced on the report of a committee, or by motion for leave. In the latter case, at least one day's notice shall be given of the motion; and the motion shall be made, and the bill introduced, if leave is given, when resolutions are called for; such motion, or the bill when introduced, may be committed.

58. Every bill shall receive three several readings in the house previous to its passage, and bills shall be dispatched in order as they where introduced, unless where the house shall direct otherwise; but no bill shall be twice read on the same day, without the special order of the house.

59. The first reading of the bill shall be for information; and, if opposition be made to it, the question shall be, "Shall this bill be rejected?" If no opposition be made, or if the question to reject be negatived, the bill shall go to its second reading without a question.

60. Upon a second reading of a bill, the speaker shall state it as ready for commitment or engrossment; and if committed, then a question shall be whether to a select or standing committee, or to a

committee of the whole house; if to a committee of the whole house, the house shall determine on what day; if no motion be made to commit, the question shall be stated on its engrossment; and if it be not ordered to be engrossed on the day of its being reported, it shall be placed in the general file on the speaker's table, to be taken up in its order. But if the bill be ordered to be engrossed, the house shall appoint the day when it shall be read the third time.

61. After commitment and report thereof to the house, or any time before its passage, a bill may be re-committed.

62. All bills ordered to be engrossed, shall be executed in a fair round hand.

63. When a bill shall pass, it shall be certified by the clerk, noting the passage at the foot thereof.

64. No standing rule or order of the house shall be rescinded, changed or suspended, except by a vote of at least two-thirds of the members present. Nor shall the order of business as established by the rules of the house be postponed or changed, except by a vote of at least two-thirds of the members present.

65. It shall be in order for the committee on enrolled bills to report at any time.

66. The rules of parliamentary practice, comprised in Jefferson's manual, shall govern the house in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and orders of the house, and joint rules of the council and house of representatives.

67. No bill or question which has been once passed or rejected, shall be called up for consideration during the same session, unless two-thirds of the house shall be in favor of taking up the same.

68. No amendment by way of RIDER shall be received to any bill on its third reading.

69. Every bill of a general nature shall, after its second reading, and being reported back by the committee, be printed without a special order of the house.

JOINT RULES

OF THE COUNCIL AND HOUSE OF REPRESENTATIVES, EIGHTH SESSION, NEBRASKA LEGISLATURE.

1. In every case of an amendment of a bill agreed to in one house, and dissented to in the other, if either house shall request a conference, and appoint a committee for that purpose, and the other house shall appoint a committee to confer, such committee shall, at a convenient hour, to be agreed on by their chairman, meet and state to

each other verbally or in writing, as either shall choose, the reasons of their respective houses for and against the amendment, and confer freely thereon.

2. When a message shall be sent from the council to the house of representatives, it shall be announced at the door of the house by the door-keeper, and shall be respectfully communicated to the chair by the person by whom it may be sent.

3. The same ceremony shall be observed when a message shall be sent from the house of representatives to the council.

4. Messages shall be sent by such persons as a sense of propriety in each house may determine to be proper, and they shall be transmitted from one house to the other at any time, provided neither house shall have adjourned for a longer period than one day.

5. While bills are on their passage between the two houses, they shall be on paper, and under the signature of the chief clerk of each house respectively.

6. After a bill shall have passed both houses, it shall be duly enrolled by the enrolling clerk of the house of representatives, or of the council, as the bill may have originated in the one or the other house, before it shall be presented to the governor of the territory for his approval.

7. When bills are enrolled, they shall be examined by a joint committee of three from the council and five from the house of representatives, appointed as a standing committee for that purpose, one of whom from each house shall carefully compare the enrollment with the engrossed bills, as passed in the two houses, and correcting any errors that may be discovered in the enrolled bills, make their report forthwith to their respective houses.

8. After examination and report, each bill shall be signed in their respective houses, first by the speaker of the house of representatives, then by the president of the council.

9. After a bill shall have been thus signed in each house, it shall be presented by the said committee to the governor for his approbation, (it being first endorsed on the back of the roll, certifying in which house the same originated, which endorsement shall be signed by the chief clerk of the house in which the same did originate,) and shall be entered on the journal of each house. The said committee shall report the day of presentation to the governor; which time shall be carefully entered on the journal of each house.

10. All orders, resolutions and votes which are to be presented to the governor of the territory for his approbation, shall also in the same manner be enrolled, examined and signed, and shall be presented in the same manner, and by the same committee as provided in the case of bills.

11. When the council and house of representatives shall judge it proper to make a joint address to the governor, it shall be presented

to him by the president of the council, in presence of the speaker and both houses.

12. When a bill or resolution which has been passed in one house shall be rejected in the other, it shall not be brought in during the same session without leave of two-thirds of that house in which it shall be renewed.

13. Each house shall transmit to the other, in case they are demanded, all papers on which any bill or resolution shall be founded.

14. After each house shall have adhered to their disagreement, a bill or resolution shall be lost.

The following message was received from the council:

Mr. Speaker:

I am instructed to inform your honorable body that the council has passed council bill No. 14. An act to amend an act entitled an act to amend an act to consolidate the corporations of Nebraska Cith, South Nebraska City, and Kearney City, and the concurrence of the house is respectfully requested.

ROBT. W. FURNAS, Chief Clerk.

Mr. Allen of Washington, moved that the house proceed to the consideration of the governor's message.

Mr. Bowen of Washington, moved that so much of the governor's message relating to United States tax, be referred to the committee on ways and means.

Carried.

Mr. Croxton of Otoe, moved that so much of the governor's message referring to federal relations, be referred to the committee on federal relations.

Carried.

Mr. Holladay of Nemaha, moved that so much of the governor's message as refers to manufactures, be referred to the committee on agriculture.

Also, that so much thereof as refers to the organization of the militia and the establishing of an arsenal, be referred to the committee on militia.

Carried.

Mr. Bates of Dakota, moved that so much of the governor's message as relates to public buildings, be referred to the committee on public building.

Carried.

Mr. Allen of Washington, moved that so much of the governor's

message as relates to roads, bridges, and ferries, be referred to the committee on roads.
Carried.

Mr. Barnum of Cass, moved that so much of the governor's message as refers to appropriations from the general government, be referred to the committee on federal relations.
Carried.

Mr. Griffin of Douglas, moved that so much of the governor's message as refers to the Great Central railroad, be referred to the committee on internal improvements.
Carried.

Mr. Allgawahr of Richardson, moved that so much of the governor's message as relates to encouraging emigration, be referred to the committee on ways and means.
Carried.

Mr. Allen of Washington, moved that so much of the governor's message relating to agriculture, be referred to the committee on agriculture.
Carried.

Mr. Butler of Pawnee, moved that so much of the governor's message as refers to banks and currency, be referred to committee on banks and currency.
Carried.

Mr. Rowles of Sarpy, moved that so much of the governor's message as refers to the criminal code, be referred to the committee on judiciary.
Carried.

Mr. Allen of Washington, moved that so much of the governor's message as refers to the report of territorial treasurer and territorial auditor, be referred to the committee on ways and means.
Carried.

Mr. Closser of Otoe, moved that so much of the governor's message as relates to wool growing, be referred to the committee on agriculture.
Carried.

Mr. Barnard of Dodge, moved that so much of the governor's message as refers to minerals, including salt springs, coal, &c., and a geological survey, be referred to the committee on mines and minerals.
Carried.

Mr. Leaming of Burt, moved that so much of the governor's message as relates to the library, be referred to the committee on libraries.
Carried.

Mr. Griffin of Douglas, moved that so much of the governor's message as relates to the homestead, be referred to the committee on agriculture.
Carried.

Mr. Seymour of Douglas, moved that so much of the governor's message as refers to the penitentiary, be referred to a special committee.
Carried.

Mr. Reck of Platte, moved that the clerk be instructed to procure the printing of two hundred copies of the standing committees, for the use of the house.

Mr. Griffin of Douglas, moved to amend by inserting one hundred copies.
Carried.
Motion, as amended, carried.

Mr. Reynolds of Otoe, moved that the clerk be instructed to divide and distribute the incidental printing ordered by this house equally between the Nebraska Republican and Omaha Nebraskian.
Laid over under the rules.

Council bill No. 14. An act to amend an act entitled an act to amend an act to consolidate the corporation of Nebraska City, Kearney City, and South Nebraska City.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on corporations.

Council bill No. 3. An act to incorporate the Falls City Library Association.
Read second time, and referred to committee on corporations.

Council bill No. 6. A bill for an act to abolish land tax of three dollars on each quarter section.
Read second time, and referred to committee on ways and means.

House file No. 2. To amend the revenue law.
Read second time, and referred to committee on ways and means.

House file No. 3. A bill for an act to amend the civil code.
Read second time, and referred to committee on the judiciary.

House file No. 4. A bill for an act to encourage wool growing, was taken up.

Read second time by its title, and referred to committee on agriculture.

House file No. 5. A bill for an act to establish a territorial road from Ponca to Niobrara, was taken up.

Read second time, and referred to committee on roads.

House file No. 6. A bill for an act to authorize H. W. Summerlad and George Walther to establish a ferry across the Missouri river, at Arago, in Richardson county, Nebraska Territory.

On motion, taken up, and bill read second time by its title, and referred to committee on corporations.

On motion, the petition of Wm. B. Hail, and others, presented on yesterday, referred to committee on corporations.

On motion, the resolution relative to printing the governor's message, was taken up.

Pending which, the hour of 12½ o'clock having arrived, the house adjourned.

GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES.
Friday, December 6, 1861.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Roll called.

Absent—Messrs. Cahn, McLaughlin, O'Conner and Closser.

Journal of yesterday's session read and approved.

On motion of Mr. Reynolds of Otoe, leave of absence was granted to Mr. Closser for to-day.

Mr. Croxton of Otoe, introduced house file No. 17. A bill for an act to further define the duties of county treasurers.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committe on ways and means.

Also, house file No. 18. A bill for an act to amend an act entitled an act to allow the funding of the indebtedness of the territory.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on ways and means.

Mr. Barnard of Dodge, introduced house file No. 19. A bill for an act relating to herding cattle in the county of Douglas.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on agriculture.

Mr. Reck of Platte, introduced house file No. 20. A bill for an act to change the name of Shorter county.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on county boundaries and seats.

Mr. Barnard of Dodge, introduced house file No. 21. A bill relative to board of trustees of the town of Fremont.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on corporations.

The following notices of bills were given:

By Mr. Allen of Washington, of A bill to repeal certain sections of an act entitled an act to prevent over drawing public funds in counties, and to compel county commissioners to give bonds.

By Mr. Larsh of Otoe, of A bill to repeal the last clause of section fourteen, in regard to sheriff's fees, where it states the sheriff shall not be allowed any fees or poundage where the complainant or assignee of a judgment bids in the property.
Also, A bill for an act to amend an act entitled an act to create a lien in favor of mechanics and others.

Mr. Larsh of Otoe, introduced house file No. 22. A bill for an act to vacate a part of Elmwood City, Otoe county.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on corporations.

Mr. Allgawahr of Richardson, introduced house file No. 23. A bill for an act to establish an agency for the purpose of encouraging emigration to the Territory of Nebraska.
Read first time.
Rules suspended. Bill read second time by its title, and referred to a special committee, consisting of Messrs. Clark of Douglas, Allgawahr and Closser.

Mr. Davis of Douglas, introduced house file No. 24. A bill for an act to legalize the tax levy of 1861, and sale of property for unpaid taxes of 1860, for Douglas county, Nebraska Territory.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on ways and means.

Mr. Griffin of Douglas, introduced house file No. 25. A bill for an act to change the time of the meeting of the legislative assembly.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Mr. Holladay of Nemaha, introduced house file No. 26. A joint resolution relative to diverting the appropriation for legislative expenses, and for other purposes.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on federal relations.

Mr. Clark of Douglas, moved that the committee be requested to report on to-morrow.
Laid on the table.

The following notices of bills were given:

By Mr. Holladay of Nemaha, of A bill to change the name of Shorter county, to Brownlow.
Also, of A bill for an act concerning the convening of the legislature.

Mr. Allen of Washington, introduced house file No. 27. A bill for an act fixing the time for certain officers to qualify, and giving power to demand additional security.
Read first time,
Rules suspended. Bill read second time by its title, and referred to committee on ways and means.

The following notices of bills were given:

By Mr. Davis of Douglas, of A bill to confirm the title of Lucinda Monell to certain real estate, in the city of Omaha.

By Mr. M'Laughlin of Dakota, of A bill for an act to change the time of holding court in Dakota county.
Also, A bill for an act granting a ferry charter at Dakota City.
Also, A bill requiring sheriffs to keep their offices at the county seats of their respective counties.
Also, A bill for an act to amend the school law.

By Mr. Blakely of Gage, of A bill for the appointment of county and precinct officers in certain cases.

Mr. Clarke of Sarpy, introduced house file No. 28. A bill for an act to locate a territorial road from Bellevue, in Sarpy county, to Elkhorn City, in Douglas county.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on roads.

Also, house file No. 29. A bill for an act to locate a territorial road from Omaha City to Bellevue, Sarpy county.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on roads.

The following notices of bills were given.

By Mr. Crow of Nemaha, of A bill to locate a territorial road in the counties of Nemaha and Richardson.

By Mr. Butler of Pawnee, of A bill legalizing the organization of the county of Pawnee.

Also, of A bill to amend the school law.

Also, of A bill to change the time of the meeting of the territorial legislature.

By Mr. Wiles of Cass, of A bill to restrain stock from running at large in Lancaster county.

Also, of A bill to restrain stock from running at large in that portion of Cass county west of the range line dividing ten and eleven.

By Mr. Griffin of Douglas, of A bill relative to the sale of property of persons found in rebellion against the government of the United States, to satisfy their indebtedness.

Mr. Reck of Platte, introduced house file No. 30. A bill for an act to locate a territorial road from Columbus to Shell creek.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on roads.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
December 5, 1861.

Mr. Speaker:

I am instructed to inform your honorable body that the council has passed council bill No. 16. A bill for an act to amend an act for the appointment of masters in chancery; and the concurrence of the house is respectfully requested.

ROBT. W. FURNAS, Chief Clerk.

Mr. Reck of Platte, introduced house file No. 31. A bill for an act to attach the counties of Platte and Hall to Dodge and Otoe, for election purposes.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on county boundaries and seats.

Also, house file No. 32. A bill for an act legalizing certain acts of the county commissioners of Platte county.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Also, house file No. 33. A bill for an act to create an election district for the counties of Hall and Buffalo.

Read first time.

Rules suspended. Bill read second time by its title, and on motion of Mr. Clark of Douglas, ordered engrossed for third reading to-morrow.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
December 6, 1861.

Mr. Speaker:

I am instructed to inform your honorable body that the council has passed council bill No. 18. A bill for an act to amend section twenty-two of an act to define the powers and duties of county commissioners and county clerks, approved January 11, 1861. Also, council bill No. 20. A bill for an act to change the name of Shorter county; and the concurrence of the house is respectfully requested.

ROBT. W. FURNAS, Chief Clerk.

Mr. Reck of Platte, introduced house file No. 34. A bill for an act for the relief of Francis G. Beecher.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on ways and means.

The following notices were given of bills:

By Mr. Clarke of Sarpy, of a bill to legalize the taxes for A. D. 1861, in Nebraska.

Mr. McLaughlin of Dakota, introduced the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 13, A memorial and joint resolution in reference to a mail route, beg leave to report that they have had the same under consideration, and report the same back to the house with the recommendation that it do pass.

D. McLAUGHLIN,
E. BEALL,
H. B. PORTER,
Committee.

Mr. Allen of Washington, submitted the following report:

Mr. Speaker:

Your committee on judiciary, to which was referred house file No. 15, A bill to legalize the acts of the county commissioners of L'Eau qui Court county, having had the same under consideration, recommend its passage with the following amendment: After the figures 1861, in section one, insert "in issuing county orders without authority of law." E. A. ALLEN, Chairman.

Mr. Holladay of Nemaha, submitted the following report:

Mr Speaker:

The committee on engrossed and enrolled bills having examined house file No. 1. Joint resolution for the translation of the governor's message and accompanying documents, find the same correctly engrossed. A. S. HOLLADAY, Chairman.

Mr. Allen of Washington, submitted the following report:

Mr. Speaker:

The committee on judiciary, to which was referred house file No. 3. A bill for an act to amend the civil code.

Also, house file No. 16. A bill for an act to legalize taxes in the county of Dodge.

Also, house file No. 14. Joint resolution in reference to collating the laws of Nebraska.

Also, council bill No. 3. A bill for an act to incorporate the Falls City Library Association, beg leave to report that they have had the same under consideration, and recommend their passage.

E. A. ALLEN, Chairman.

Mr. Hagaman of L'Eau qui Court, submitted the following report.

Mr. Speaker:

Your committee on roads, to which was referred house files Nos. 5 and 12, entitled respectively A bill for an act to establish a territory road from Ponca City to Niobrara; and A bill for an act to locate and establish a territorial road from St. Johns to Ionia, beg leave to report the same back to the house with the following amendments, and recommend their passage.

Strike out "section five," in house file No. 5, and insert the following: "The said commissioners shall receive the sum of three dollars per day, surveyor four dollars, teamster and other assistants shall be each entitled to receive the sum of two dollars per day, while actually engaged in surveying and locating said road." And insert between the words road, and to, in the sixth line of section four, the words "together with an accurate map of the same."

And amend section three in house file No. 12, so as to read as follows: "Said commissioners shall be entitled to receive three dollars per day, and shall have power to employ a surveyor who shall receive four dollars per day, and as many assistants as they may deem necessary to locate said road, and said assistants shall each be entitled to receive the sum of two dollars per pay for each day actually employed in the location of said road."

R. M. HAGAMAN, Chairman,
Committee on Roads.

Council bill No. 16. A bill for an act to amend an act for the appointment of masters in chancery, was taken up.

Read first time.

Rules suspended. Bill read a second time by its title, and referred to committee on county boundaries and county seats.

Council bill No. 18. A bill for an act to define the powers and duties of county commissioners and county clerks, was taken up.

Read second time by its title, and referred to committee on judiciary.

Council bill No. 20. A bill for an act to change the name of Shorter county, was taken up.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on county boundaries and county seats.

House file No. 1. Joint resolution relative to translating the governor's message, was taken up.

Read third time. Bill passed and title agreed to.

Mr. Bowen of Washington, moved that the house proceed to the consideration of the resolution relative to printing the governor's message.

Carried.

Mr. Seymour of Douglas, moved to amend so that the resolution shall read as follows:

Resolved, That 3,000 copies of the governor's message and the accompanying documents, in English, and 1,500 in German, be printed for the use of this house.

Amendment carried.

Resolution as amended adopted.

House file No. 7. Joint resolution relative to adjournment, was taken up.

Mr. Seymour of Douglas, moved that the bill be referred to the committee on federal relations, on which the ayes and nays were demanded with the following result.

Those voting in the affirmative were—

Ayes—Messrs. Allgawahr, Allen, Barnum, Barnard, Bates, Beall, Birchfield, Blakely, Bowen, Buchanan, Cahn, Chapin, Chalfant, Clarke of Sarpy, Crothers, Crow, Davis, Eikenberry, Ewing, Griffin, Hagaman, Holladay, Larsh, McLaughlin, O'Conner, Porter, Reck, Reed, Rowles, Seymour and Wiles—31.

Those voting in the negative were—

Nays—Messrs. Butler, Clark of Douglas, Croxton, Reynolds and Wattles—5.

Motion agreed to.

Mr. McLaughlin of Dakota, moved that the committee be instructed to report at their convenience.

Carried.

House file No. 8. A bill for an act relative to roads, and to regulate the disposal of the road fund, and to fully define the duties of supervisors, was taken up.

Read second time by its title, and referred to committee on roads.

Mr. Seymour of Douglas, moved that the vote referring to council bill No. 20, A bill for an act to change the name of Shorter county, be reconsidered.

Lost.

Mr. McLaughlin of Dakota, moved that house file No. 13, Memorial and joint resolution relative to a mail route, be taken up.

Lost.

On motion of Mr. Bowen of Washington, the house at 12 o'clock, M., adjourned.

GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Saturday, December 7, 1861.

House met pursuant to adjournment.
Speaker in the chair.
Prayer by the chaplain.
Roll called.
Absent—Messrs. McLaughlin and Bates.
Journal read and approved.

Mr. Clark of Douglas, offered the following resolution:

Resolved, That the governor be requested to transmit to this house the manuscript copy of the report of the territorial auditor, treasurer and territorial librarian.
Rules suspended and resolution adopted.

Mr. Blakely of Gage, introduced house file No. 35. An act for the appointment of county and precinct officers.
Read first time.
Rules suspended. Read second time by its title, and referred to committee on ways and means.

Mr. Beall of Hall, introduced house file No. 36. A bill to locate the county seat of Hall county.
Read first time.
Rules suspended. Read second time by its title, and referred to committee on county boundaries and county seats.

The following notices of bills were given:

By Mr. Griffin of Doulas, of A bill to locate a territorial road from a point on the Military road, in Platte county, to Clear creek, in Butler county, Nebraska Territory.

By Mr. Leaming of Burt, of A bill for an act to incorporate the church of Holy Incarnation at Decatur.
Also, of A bill to change the name of West county to Stanton county.

By Mr. Clarke of Sarpy, An act to incorporate Nebraska lodge No. 1 of A. F. and A. Masons, at Bellevue, Nebraska.

Mr. Clark of Douglas, introduced house file No. 37. A bill for an act to attach certain organized portions of Nebraska to the first judicial district.
Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Mr. McLaughlin of Dekota, introduced house file No. 38. A bill for an act to provide that sheriffs must keep their offices at the county seats of their respective counties.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on county boundaries and county seats.

The following notices of bills were given:

By Mr. Griffin of Douglas, of A bill to incorporate the Nebraska historical society.

By Mr. Clarke of Sarpy, of A bill to incorporate the first Presbyterian church at Bellevue.

By Mr. Davis of Douglas, of A bill for an act to amend an act entitled an act to allow the funding of the indebtedness of the territory.

Also, of A bill for an act for the regulation and continuance of a system of education by common schools.

By Mr. Allen of Washington, of A bill for an act requiring special constables to give bonds.

By Mr. Reynolds of Otoe, of A bill for an act entitled an act to amend section thirty of an act to provide for the valuation and assessment of real and personal property, and for the levying and collection of taxes in the territory of Nebraska.

By Mr. McLaughlin of Dakota, of A memorial and joint resolution for the establishment of a mail route from Dakota City to Fort Kearney.

By Mr. Reck of Platte, of A bill to amend an act to provide for the holding of district court in Columbus, in Platte county.

Also, of A bill to attach part of Polk county to Platte.

Mr. Holladay of Nemaha, introduced House file No. 39. A bill for an act concerning the convening of the legislature.

Read first time.

Rules suspended and read second time by its title and referred to committee on federal relations.

Mr. McLaughlin of Dakota, introduced House file No. 40. A bill for an act fixing the time of holding courts in Dakota territory.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Also, house file No. 41. A bill for an act to amend an act to incorporate Dakota City.

Read first time.

Rules suspended. Bill read second time by its title, and referred to a special committee, consisting of Messrs. McLaughlin, Bates, and O'Conner.

Mr. Crow of Nemaha, introduced house file No. 42. A bill for an act to locate a territorial road through the counties of Pawnee and Richardson.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on roads.

Mr. Holladay of Nemaha, introduced house file No. 43. A bill for an act to change the name of Shorter county.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on county boundaries and county seats.

Mr. McLaughlin of Dakota, introduced house file No. 44. A bill for an act to establish a territorial road from Dakota City to Fort Kearney, or some other point on the Platte river.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on roads.

Mr. Davis of Douglas, introduced house file No. 45. A bill for an act to confirm the title of Lucinda Monell, to certain real estate, in the City of Omaha.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Mr. Allen of Washington, introduced house file No. 46. A bill for an act to repeal certain sections of an act to prevent over-drawing of the public funds in counties, and compel county commissioner to give bonds.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on ways and means.

Mr. Ewing of Richardson, introduced house file No. 47. A joint resolution relative to the completion of the two chambers of the capitol for the use of the council and house of representatives.

Read first time.

Rules suspended. Bill read a second time by its title, and referred to committee on public buildings.

Resolution relative to the appointment of a committee to examine the books of the territorial treasurer, was taken up, and, on motion; adopted. Messrs. Seymour, Crothers, and Butler appointed said committee on the part of the house.

The resolution introduced by Mr. Holladay of Nemaha, relative to sustaining the government in its efforts to crush out rebellion, was taken up.

On motion of Mr. Seymour, referred to the committee of the whole, and made the special order for Wednesday next.

The resolution of Mr. Clark of Douglas, upon the same subject, giving the same reference, and made a special order for the same time.

Mr. Croxton of Otoe, moved that one hundred copies of the resolution be printed for the use of the house.

Lost.

Mr. Clark of Douglas, from the committee to which was referred house file No. 23, submitted the following report:

Mr. Speaker:

The majority of your committee, to whom was referred house file No. 23, A bill for an act to establish an agency to encourage and promote emigration to the Territory of Nebraska, and making an appropriation for the salary of said agent, and to defray the expenses of printing, &c., beg leave to report the same back to the house, with the following recommendation:

Your committee believe that such an agency, by the proper distribution of pamphlets containing a description of the soil, climate, timber, and the adoption of our vast, fertile prairies to the growth of all grains, fruit, and vines, would prove advantageous in the settling up of our territory with a hardy, and industrious, enterprising class of people; but your committee are of the opinion that the matter should be undertaken on a more extended scale than proposed in this bill, in order to accomplish the end desired. And your committee are also aware of the fact, that since the commencement of our national troubles, foreign emigration, which is desired to be reached by this bill, has been materially decreased, if not almost entirely stopped. And for these reasons, as well as from motives of economy during the present deep indebtedness of the territory, and the burdensome tax levied upon the people, and the increased tax of the present and coming year, though approving of the principles contained in the bill, would doubt the propriety of its passage the present session. All of which is respectfully submitted.

M. H. CLARK, Chairman.
JOHN CLOSSER.

Mr. Allgawahr of Richardson, asked for time to submit a minority report.
Granted.

Mr. Davis of Douglas, submitted the following report:

Your committee, to whom was referred council bill No. 20. A bill for an act to change the name of Shorter county, having had the same under consideration, report the same back to the house and recommend its passage.

O. F. DAVIS, Chairman.

On motion of Mr. Reck of Platte, said bill was taken up.

Mr. Allen of Washington, moved that the name of Lincoln be stricken out and Brownlow inserted.
Lost.

Mr. Reynolds moved to insert the name of Parson Brownlow.
Lost.

Mr. Clark of Douglas, moved to insert the name of McClellan.
Lost.

Mr. Reynolds of Otoe, moved to insert the name of Holt.
Lost.

Mr. Larsh moved to insert the name of Andrew Johnson.
Lost.

Mr. Clark of Douglas, moved to strike out the name of Lincoln.
Lost.

On motion of Mr. Seymour, the rules were suspended and bill read third time, passed, and title agreed to.

Mr. Reynolds of Otoe, submitted the following report:

Mr. Speaker:

Your committee to whom was referred house file No. 10. A bill for an act entitled an act to establish a ferry at Decatur, beg leave to report the same back to the house, and recommend its passage.

Your committee to whom was referred house file No. 6. An act to authorize H. W. Summerlad and Geo. Walther to keep a ferry across the Missouri river at Arago, in Richardson county, beg leave to report the same back to the house, and recommend its passage.

Your committee to whom was referred house file No. 21. A bill relative to the board of trustees of the town of Fremont, beg leave to report the same back to the house, and recommend its commitment to the committee on judiciary.

MILTON W. REYNOLDS,
JAMES H. SEYMOUR,
E. W. BARNUM,
S. T. LEAMING,
D. BUTLER.

On motion, referred to committee on judiciary.

Mr. Holladay made the following report:

The committee on engrossing and enrolling bills, beg leave to report back house file No. 23, To create an election district for the counties of Hall, Buffalo and Kearney, as correctly engrossed.

A. S. HOLLADAY, Chairman.

Council bill No. 3. A bill for an act to incorporate the Falls City Library Association, was taken up.

On motion of Mr. Seymour of Douglas, the bill was recommitted to the committee on corporations.

House file No. 3. A bill for an act to amend the code of civil procedure, was taken up.

Mr. Bowen of Washington, moved that its further consideration be postponed until December 12.

Carried.

Mr. Clarke of Sarpy, moved that when this house adjourn it will be until Monday at 2 o'clock, P. M.

Lost.

House file No. 5. A bill for an act to establish a territorial road from Ponca to Niobrara, was taken up, and ordered engrossed for a third reading on Monday.

House file No. 12. A bill for an act to establish a territorial road from St. Johns to Ionia, was taken up and ordered to be engrossed.

House file No. 13. Memorial and joint resolution relative to a mail route, was taken up.

Mr. Seymour moved the bill be laid on the table.

Lost.

The ayes and nays being called, the vote stood as follows:

Those voting in the affirmative were—

Ayes—Messrs. Allgawahr, Barnum, Barnard, Blakely, Bowen, Chapin, Crow, Davis, Griffin, Hagaman, Seymour, Wattles and Wiles —13.

And those voting in the negative were—

Nays—Messrs. Allen, Bates, Beall, Birchfield, Buchanan, Butler, Cahn, Chalfant, Closser, Clark of Douglas, Clarke of Sarpy, Crothers, Croxton, Eikenberry, Ewing, Holladay, Larsh, McLaughlin, O'Conner, Porter, Reck, Reynolds, Reed and Rowles—24.

Motion lost.

Mr. Reynolds of Otoe, moved that the bill be made a special order for Tuesday next.

Carried.

The hour of 12½ o'clock having arrived, the house adjourned.

GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Monday, December 9, 1861.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Roll called.

Absent—Messrs. Bates, Clarke of Sarpy, McLaughlin and Wiles.

Journal of Saturday's session read and approved.

On motion of Mr. Seymour of Douglas, the following rules were adopted for the government of the house:

ORDER OF BUSINESS.

1. Roll call.
2. Reading journal.
3. Petitions.
4. Notices.
5. Motions.
6. Resolutions of the house.
7. Reports of committees.
8. Amendments by the council to house bills.
9. Bills and joint resolutions of the house and council on their first reading.
10. Bills and joint resolutions, (including those reported back,) on their second reading.
11. Bills and joint resolutions on their third reading.
12. Special orders of the day.
13. General orders of the day.

The following notices of bills were given:

By Mr. Allen of Washington, of A bill for an act to amend the code of civil procedure.

Also, of A bill for an act to vacate certain blocks in Cuming City, Washington county.

Also, of A bill for an act to repeal an act entitled an act to authorize the county commissioners to pay interest on county orders.

By Mr. Closser of Otoe, of A bill for an act for a redemption law.

By Mr. Butler of Pawnee, of A bill for an act to change the time of holding elections in this territory.

By Mr. Chapin of Cass, A bill to provide for the liquidation of county taxes in certain contingencies.

Also, A bill for an act to repeal section forty of the revenue law.

Also, A bill for an act reducing the road tax.

By Mr. Hagaman of L'Eau qui Court, A memorial and joint resolution asking Congress to remove the United States land office from Dakota City in Dakota county, to Niobrara in L'Eau qui Court county, Nebraska Territory.

By Mr. Clark of Douglas, of A bill for an act to define what is a legal publication.

Mr. McLaughlin submitted the following report:

Mr. Speaker:

Your committee to whom was referred house file No. 41, An act to amend the act of incorporation of Dakota City, beg leave to report that they have had the same under consideration, and report the same back to this house with the recommendation that it do pass.

D. MCLAUGHLIN, Chairman.

Mr. Reck of Platte, introduced house file No. 48. A bill for an act to provide for holding the district court in the town of Columbus, Platte county.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Also, house file No. 49. A bill for an act to attach parts of Polk county to Platte county.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on county boundaries and county seats.

Mr. Wiles of Cass, introduced house file No. 50. A bill for an act to prevent stock from running at large in Lancaster county, and that portion of Cass county west of range line dividing ten and eleven.

Read first time.

Mr. Davis of Douglas, introduced house file No. 51. A bill for an act to amend an act entitled an act to allow the funding of the indebtedness of the territory.

Read first time.

Mr. Hagaman of L'Eau qui Court, submitted the following report:

Mr. Speaker:

Your committee on roads, to whom was referred house file No. 8, house file No. 41, and house file No. 44, have had the same under consideration, and recommend their passage, with the following amendment to house file No. 8: amend by inserting in section fourteen on the thirteenth line, after the word supervisor, "and for the expense of procuring the necessary guide boards."

Your committee have also had under consideration house file No. 30. An act to locate a territorial road from Columbus to Shell creek in Platte county. In consequence of this proposed road being within the limits of one county, your committee are of the opinion that it should be located by the authorities; therefore, recommend that it do not pass.

R. M. HAGAMAN, Chairman.

House file No. 6. A bill for an act to authorize H. W. Summerlad and Geo. Walther to keep a ferry at Arago, Richardson county, was taken up.

Mr. Clarke of Sarpy, moved to amend by striking out "ten" after the words one hundred pounds of freight, and inserting "five."

Carried.

Mr. Griffin of Douglas, moved to amend by striking out "five cents per head for sheep and swine," and inserting "twenty-five cents per score."

Lost.

Mr. Crothers of Nemaha, moved to amend by striking out "five cents per head for sheep and hogs," and inserting "for any number less than ten, five cents per head; over ten and under fifty, three cents per head; and all over fifty, two cents per head.

Carried.

Mr. Blakely of Gage, moved to amend by striking out "one dollar" for each pair of cattle or horses and wagon, and inserting "seventy-five cents."

Carried.

On motion, ordered to be engrossed for a third reading to-morrow.

House file No. 15. A bill for an act to legalize the acts of the county commissioners of L'Eau qui Court, was taken up.

On motion, the amendment proposed by the committee was adopted.

Mr. Clarke of Sarpy, moved to amend by inserting after the word law, in section one, "to amount not exceeding three hundred and fifty dollars."

Carried.

On motion, ordered to be engrossed for a third reading to-morrow.

House file No. 14. A joint-resolution relative to collating the laws of Nebraska, was taken up.

Read third time.

Bill passed and title agreed to.

House file No. 16. An act to legalize the tax levy of Dodge county for years 1860 and 1861.

On motion, ordered to be engrossed for a third reading to-morrow.

On motion of Mr. Griffin of Douglas, the house, at fifteen minutes to 12 o'clock, adjourned.

GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Tuesday, December 10, 1861.

House met pursuant to adjournment.
Speaker in the chair.
Prayer by the chaplain.
Roll called.
Absent—Messrs. Clarke of Sarpy, Crothers and Davis.

On motion, leave of absence was granted Mr. Crothers for the day.

Mr. Allen of Washington, presented the petition of James S. Stewart, and thirty others, praying for relief.
Read, and referred to committee on judiciary.

Mr. Reck of Platte, presented the petition of William B. Gibson, and thirty-five others, remonstrating against the repeal of an act to restrain horses, sheep and swine, from running at large in Platte county.
Read, and referred to committee on agriculture.

The following notices of bills were given:

By Mr. Allen of Washington, of A bill for an act to relieve the tax payers of Cuming City district from payment of district school tax.

By Mr. Holladay of Nemaha, of A bill for an act to vacate certain streets and alleys in the town of Peru.

By Mr. Rowles of Sarpy, of A bill for an act relative to mills and millers, and for other purposes.

By Mr. Wattles of Sarpy, of A memorial and joint resolution to Congress, asking an appropriation to erect a penitentiary.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
December 10, 1861.

Mr. Speaker:

I am instructed to inform your honorable body that the council has passed council bill No. 2, A bill for an act to authorize Daniel Reavis to keep a ferry across the Great Nemaha, and the concurrence of the house is respectfully requested.

ROBT. W. FURNAS, Chief Clerk.

By Mr. Birchfield of Otoe, of A bill for an act to stay all proceedings in civil cases, for the term of two years.

By Mr. Reck of Platte, of A bill to legalize the laying out of a road by the county commissioners of Platte county.

By Mr. Reed of Nemaha, of A bill to authorize Avery Carter to keep a ferry across the Missouri river at Peru.

Mr. Griffin of Douglas, submitted the following reports:

Mr. Speaker:

Your committee, to whom was referred house file No. 19, A bill for an act relative to herding cattle, in the county of Dodge, has had the same under consideration, and recommend its passage.

J. T. GRIFFIN, Chairman.

Mr. Speaker:

Your committee, to whom was referred house file No. 11, A bill to restrain sheep and swine from running at large in Burt county, has had the same under consideration, and recommend its passage.

J. T. GRIFFIN, Chairman.

Mr. Speaker:

Your committee, to whom was referred house file No. 4, A bill to encourage wool growing, has had the same under consideration, and recommend the annexed substitute, and recommend its passage.

J. T. GRIFFIN, Chairman.

Mr. Allen of Washington, submitted the following report:

Mr. Speaker:

Your committee of judiciary, to which was referred council bill No. 18, A bill for an act to amend the twenty-second section of an act to define the powers and duties of county commissioners and county clerks; approved January 11, 1861.

Also, council bill No. 16, A bill for an act for the appointment of masters in chancery, have had the same under consideration, and recommend their passage.

Your committee have also had under consideration house file No. 21, A bill relative to the board of trustees of the town of Fremont.

Also, house file No. 31. An act to legalize certain acts of the county commissioners of Platte county.

Also, house file No. 48. An act to amend an act to provide for the holding of district court, in the town of Columbus, in Platte county; and recommend their passage without amendment.

E. A. ALLEN, Chairman.

Mr. Speaker:

The committee on judiciary, to whom was referred house file No. 25. A bill for an act to change the time for the meeting of the legislature, have had the same under consideration, and report it back without recommendation.

Also, house file No. 40. A bill for an act to fix the time of holding district court in Dakota county, and respectfully report the same back to the house, with the recommendation that it do not pass.

E. A. ALLEN, Chairman.

Mr. Holladay of Nemaha, submitted the following report:

Mr. Speaker:

The committee on engrossing and enrolling bills report the following bills as correctly engrossed:

House file No. 12. A bill for an act to locate and establish a territorial road from St. Johns to Ionia.

House file No. 5. A bill for an act to establish a territorial road from Ponca City to Niobrara.

House file No. 15. A bill to legalize the acts of the county commissioners of L'Eau qui Court county.

House file No. 16. A bill for an act to legalize taxes in the county of Dodge.

A. S. HOLLADAY, Chairman.

Mr. Reynolds of Otoe, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred council bill No. 3, A bill for an act to incorporate the Falls City Library Association, having had the same under consideration, beg leave to refer the same back to the house, and recommend its passage, with the following words stricken out in section five, to wit: "And no property whatever belonging to any person, against whom judgments shall have been rendered for such taking or detention, shall be exempt from levy and sale on execution to pay such judgment."

Your committee, to whom was referred house file No. 22, A bill for an act to vacate a part of the town site of Elmwood city, in Otoe county, Nebraska Territory, having had the same under consideration, beg leave to report it back to the house and recommend its passage.

Signed, MILTON W. REYNOLDS, Chairman,
Committee on Corporations.

Mr. Seymour of Douglas, submitted the following report:

Mr. Speaker:

Your committee on federal relations, to whom was referred memorial of Henry Greabe, relative to a plan of encouraging immigration to Nebraska; and, also, relative to a plan of growing timber, report, that a bill having for its object the accomplishment of the same purposes was introduced to the house subsequent to the reference of this memorial, and that said bill was referred to a select committee; which bill has been reported back to this house, together with the recommendation of the committee, and is now on the speaker's table; and your committee recommend that this paper be placed on file with the bill thus reported, for the further consideration of the house.

J. H. SEYMOUR, Chairman.

Mr. Seymour of Douglas, submitted the following report:

Mr. Speaker:

The committee on federal relations, to whom was referred joint memorial and resolutions (house file No. 7), asking Congress to divert the sum of $20,000, appropriated by that body to defraying the expenses of the legislature of this territory, or so much of the same as may be necessary to pay the taxes appropriated to this territory by the first session of the thirty-seventh Congress, with the accompanying resolution, providing for an adjournment of this body to the ninth of the present month, ask leave to report that they have had the same under consideration, and have arrived at the following conclusions:

That the propositions contained in said memorial and resolutions would seem at first view to be plausible and desirable, as a means of diminishing the burdens of taxation imposed upon our people by the act of Congress referred to; but a careful investigation and examination of the subject has forced us to the conclusion, that the proposed measure, if carried into effect, would at least afford but partial relief to the tax payers of the territory, while the trial of the experiment would be attended with the hazard of loosing entirely the benefits arising from the legislation, secured to us by appropriation referred to, with no reasonable or sufficient probability that the prayer of the memorialists would be granted by Congress.

Your committee would suggest that, in their opinion, the financial condition of the territory calls loudly for thorough revision and reform at the hands of the present legislative assembly. The high rate of taxation and general disability of the people to meet it, of which the memorial under consideration speaks, as the chief ground for the proposed action, are owing, in a great degree, as your committee believe, to loose and improvident legislation, which every interest in the territory imperiously requires should be corrected at the earliest possible moment.

Your committee do not believe that such interests should be left in peril for another year, to the sacrifice of both public and private credit, merely for the purpose of attempting a doubtful experiment.

Your committee would further suggest that the expenditure of $20,000 among our people, adding that amount to the capital of the territory, will be a source of general benefit to all classes, and enable many of our tax payers to meet, without serious inconvenience, the tax imposed upon them by the general government.

At most, the actual residents of this territory will not be called upon to pay an amount exceeding one-half the federal assessment, thus leaving a balance of fully $10,000 among our citizens, which would be entirely lost to the territory if the prayers of the memorial were granted.

Fully one-half of all the public lands of Nebraska have been purchased and are held by non-resident speculators, to the great detriment of our settlers, but who will be compelled to contribute their just proportion of the national tax. The exemption of five hundred dollars made by Congress, in favor of the poorer classes, will require of these heavy property holders, the payment of a greater proportion of the tax than their land bears to the whole amount subject to taxation in the territory, for the very plain reason that all our smaller landholders, who own but forty and eighty acres, will be entirely exempt from taxation, while the more wealthy, who now own from 1,000 to 100,000 acres, will be entitled to no such exemption. The measure under consideration, therefore, seems to us to be nothing less than an effort to favor the wealthy and opulent speculator, by denying to the home interests of Nebraska that fostering care and protection, which they should receive at our hands.

Your committee would further state that a large share of the lands held by non-residents, are in the hands of persons residing in the south, who are in open rebellion against the lawful authority of the general government. Should the sum, appropriated by Congress to defray the expenses of the legislative assembly of this territory, be diverted from the original purpose, these non-resident secessionists would reap the chief benefit, while the great body of our citizens would not only fail to receive any very material benefit, but would actually suffer a serious loss.

Your committee are of the opinion that the adoption of the memorial, and the consequent adjournment would be fraught with nothing but mischief to the permanent interests of the people of this territory. Our financial system requires a complete revision and amendments.

The practice of issuing treasury warrants in quantities to compensate for their depreciated value, in payment of claims against the territory, is rapidly augmenting our territorial debt; and if suffered to continue unchanged, will involve us in hopeless bankruptcy. The same is true of many of our counties. Your committee are, therefore, of the opinion that sound policy would dictate that the territorial legislature should continue in session until our entire financial system shall be revised and placed in a healthy condition; more may be saved to the tax payers of Nebraska in this way, than by abandoning our interests to mere chance—by the adoption of the memorial and joint resolution under consideration.

It is not claimed by the advocates of this measure, that there is any certainty that Congress will grant the proposed relief, and your committee are of opinion that the propositions would be rejected without even a serious consideration. Such a request as is contained in this memorial would, if granted, open the door for similar applications from Dakota, Colorado, Nevada, New Mexico, and all the organized territories of the Union, and lead to complications and embarrassments, which Congress will not willingly encounter. What our territory most needs at the present time, perhaps, is a large addition to her population.

The adoption of this memorial would, in the opinion of your committee, have the direct and inevitable tendency to discourage immigration, and retard the rapid settlement of the territory.

Such an application coming alone from Nebraska, while all the other territories respond promptly and cheerfully to the reasonable requirements of the general government, would operate as an advertisement of our poverty wherever it is made known, and tend to divert the tide of immigration to other portions of the country, where such a confession has not been made.

Your committee, therefore, respectfully recommend the indefinite postponement of the memorial and joint resolution under consideration, and would submit for your consideration, the following resolution:

Resolved, That the memorial and joint resolution of house file No. 7, be indefinitely postponed.

JAMES H. SEYMOUR, Chairman.
CORNELIUS O'CONNER.
J. S. EWING.

Mr. Reynolds of Otoe, submitted the following, report:

Mr. Speaker:

The undersigned, a minority of the committee to whom was referred house file No. 7, A memorial and joint resolution relative to adjournment, having had the same under consideraition, and given it that due deliberation, and mature reflection, which the importance of the subject, in his judgment, demands, begs leave to dissent from the report of the majority of the committee; and in doing so, earnestly recommends the passage of the memorial and joint resolution. In coming to this conclusion, the undersigned acknowledges that he has been materially aided and assisted by the united voice of the constituency he, in part, has the honor to represent upon this floor. Otoe county, second to but one in population and wealth in Nebraska Territory, and which sends six members to this house, has given forth an unmistakable and unequivocal utterance in favor of an early adjournment of the legislature, and an earnest petition to Congress for a diversion of the $20,000 annually appropriated for legislative expenses, to the payment of the federal tax levied upon the Territory of Nebraska. The undersigned further acknowledges his indebtedness to the public press of the territory, whose elaborate expositions of the pressing wants of the people, and of their demands in favor of this measure, have, in no little degree, influenced and helped to form his judgment in the matter. The undersigned, further is informed, that nearly the unanimous opinion of the people, wherever the matter has been discussed, has been in its favor; and it is submitted to the candor and consideration of the house, whether these facts should not have their proper weight and influence upon the members of this body.

The minority not having had access to the report of the majority, is unprepared to join issue with the positions taken therein. He is, therefore, obliged to leave them unanswered.

The prompt and speedy adjournment of the legislature, and the diversion of the fund appropriated for the expenses of the same, is a question that so strongly commends itself to the good sense and practical judgment of every citizen and tax payer of the territory, that but little argument, it would seem, were necessary to make it palpable and plain to every man possessed of ordinary shrewdness and sagacity.

What are the facts in the case? A wicked and causeless rebellion has sprung up between two sections of this once glorious confederacy—a great nation is rent with civil discord and civil war. States discordant, belligerent, treasonable, are attempting to seduce from their loyalty and allegiance still other states, and the foul spirit of treason and rebellion spreads and thickens. To crush out treason and suppress rebillion, the constitutional executive of the nation declares war against the rebillious states. The national treasure is poured out like water. A million dollars per day is expended, and the national treasury is empty. A special tax is levied upon the states and territories to carry on the war; of which $19,312 is allotted to the distant, frontier Territory of Nebraska.

There is no avoiding the payment of this tax. It must be paid. The strong arm of the government can, and if needs be, will enforce its collection. The territory is poor. Its geographical position makes it one of the greatest sufferers by the war. Although portions of the country may be benefitted by this great national conflict by being furnished with an abundant, ready and remunerative market for all kinds of produce, Nebraska alone must suffer, and that continually, by a continuance of the war. Her southern market upon which she mainly relies is crippled and nearly cut off. For the tea, coffee, sugar, and other article of import consumed by her people, she is obliged to pay an increased and exhorbitant price, owing to the dangers and difficulities connected with their shipment to her ports. A bountiful Providence, it is true, has, during the past season, blessed her people with an abundant harvest, but the produce raised from our rich valleys and fertile prairies brings no money. This latter commodity is not in the market. How shall the tax be paid?

A very little practical patriotism and self-sacrifice on the part of members will aid in the solution of this question. Government, in a magnanimous spirit of generosity and liberality, appropriates annually the sum of $20,000, or so much thereof as may be necessary, to defray the expenses of convening and holding our legislature for a period of forty days. The joint resolution proposes, that on Monday December 9, 1861, the legislature adjourn, and the memorial asks Congress to divert the money appropriated for legislative expenses to the payment of the tax. Why should not the legislature promptly adjourn? Are there any measures of great public importance requiring and demanding the consumption of the balance of the forty days for legislative purposes? If so, what are they? Have we not an excellent criminal code, a very good civil code, a tolerably fair revenue system, that needs some amending to be sure, but does not require the consuming of a whole term of the legislature.

In many of the states biennial sessions only are held. If the populous and wealthy states of Michigan and Wisconsin, with their diversified interests, can meet the wants of the people with sessions of the legislature but once in two years, cannot we, without great public detriment, adjourn over the unexpired term of this session, and by so doing secure the payment of the Federal tax, that at this time weighs so heavily upon our people?

But it is maintained that the people of the territory don't want the tax paid in this way—that they are loyal and patriotic, and are willing and anxious to pay the tax.

As to the loyalty and patriotism of the people of Nebraska, there can be no doubt or question. Already, with an exposed frontier, a sparse population, traitors in arms and in rebellion right upon her borders, the prowling and treacherous savage in her very midst, she has sent to the defence of the government a greater proportion of her brave and gallant sons, according to population, than any state in the Union—the great, populous and patriotic state of New York not excepted. The government has called for her defenders of the Constitution, and, like the Spartan matron, she has furnished her jewels. Who then doubts her loyalty to the Union or her fealty to the Constitution?

But it is respectfully submitted, that this kind of patriotism which will not allow the payment of a debt in another channel every way honorable, but insists upon a discharge of the obligation with no ability to do it, is of a most strange and singular nature. Should such an extravagance of patriotism be found really to exist among the people, it certainly should be deserving of a patent—something purely of Nebraska growth—a native of the soil, that finds no parallel in the records of our revolutionary fathers, and in those classic lands in which Grecian patriotism flourished, and Roman love of country have been immortalized in history and in song. What would be thought of the individual who should insist upon thrusting his hands into his pockets whenever the penny collection was taken up, but in whose dilapidated financial reservoir there was not to be found "currency" even of that denomiuation? Would his liberality be deserving of extraordinary commendation, or his good intentions be of much practical benefit?

But it may be urged that an immediate adjournment of the Legislature would prevent the distribution of nearly $20,000 among the people. And should we drive out capital from the territory? To which, it is replied, that an adjournment of the legislature and a diversion of the money to the payment of the tax, would save the people the payment of exactly the sum of $19,312. And will the two members and officers of the legislative assembly, allow their personal benefits to be paramount to the interests and well being of the people of the entire territory? Shall the few be benefitted at the expense of the many?

In consideration of these facts, and others that might be presented, the minority of your committee respectfully urge the immediate passage of the memorial and joint resolution in relation to the adjournment.

MILTON W. REYNOLDS.

Mr. Seymour of Douglas, moved that house file No. 7, A memorial and joint resolution to adjourn, be taken up.

Carried.

On motion, made a special order for this afternoon at 3 o'clock.

Mr. Allgawahr of Richardson, submitted the following report:

Mr. Speaker:

The minority of the select committee to whom was referred house file No. 23. A bill for an act to establish an agency for the purpose encouraging and promoting emigration to the Territory of Nebraska, beg leave to submit the following report:

The minority of your committee cannot agree with the majority in their views of the subject matter contained in this bill, and therefore dissent from the general tone of the report submitted by them in the premises.

The bill in question contemplates the establishment of an agency for the purpose of inducing emigration to our borders, and consequently involves matters of the most vital importance to the people of Nebraska.

It is urged by the majority of the committee that this measure, if carried into effect as proposed by the bill, will prove anything but beneficial in its practical results; but their objections are based solely upon the supposed inability of our people to pay the amount asked for the accomplishment of this object. The sum sought to be appropriated for the purpose of said agency, amounts in the aggregate to two thousand dollars, which sum is to be expended under the direction of the governor, in the employment of an agent, and in the publication of maps, charts, and such other papers as may be necessary to promote the object of the enterprise. This is said to be an extravagant sum, and one that the territory cannot afford to give just now. Yet the same plan indicated in this bill has been adopted in other states and territories, and been attended with the most beneficial results. Look to Michigan, Wisconsin and Iowa, their legislatures passed laws appropriating moneys for the encouragement of emigration, and can it be said with any kind of propriety that the money was spent in vain.

Precedents are not wanting to prove the feasibility of the measure, and the wisdom of its adoption.

Kansas had her emigrant aid societies, and hence the rapidity with which her borders were filled with an enterprising and industrious population. The history of that state shows that every possible means have been employed to effect its speedy settlement; while Nebraska, equal in every respect, and possessing even more elements of future wealth and greatness, has been passed by and neglected. Not a voice has been heard in her favor, not a dollar has been appropriated from the public treasury to assist in the settlement of our broad fertile prairies, while thousands have been given for purposes as useless to the people as they were unjust in principle.

Therefore, sound policy would dictate that in the future a more economical system be adopted in the legislation of territorial expenditures, and that if indebtedness be incurred, let it be in the promotion of the interests of the territory, in point of an increase of population and the amelioration of the condition of the people in the shape of permanent improvements.

It is urged that the plan proposed in the bill is impracticable, for the reason that our national troubles have interrupted the tide of emigration from the European states.

What are the facts? By reference to the official report of the commissioner of emigration in the city of New York, it will be seen that from Jan. 1, 1861, to Nov. 27, 1861, no less than 63,633 emigrants landed at that point alone from the continent of Europe. And of that number, how many have located in our own territory with the intention of becoming permanent citizens? The minority of your committee answer not one. And why? The reason is obvious. Those strangers on our shores in pursuit of homes for themselves and families, know nothing of the existence of such a place as Nebraska, and have no means of knowing. This bill, then, proposes to furnish eastern and foreign emigration with the necessary information in relation to the superior advantages offered by our territory, so well adapted to agricultural purposes and the various pursuits of life.

The minority of your committee, therefore, report the aforesaid bill back to this house, with the recommendation that it do pass.

LEWIS ALLGAWAHR.

Mr. Clarke of Sarpy, submitted the following report:

Mr. Speaker:

Your committee, having under consideration house file No. 47, Joint resolution relative to the completion of the two chambers designed for the use of the council and house of representatives, report the same back to the house and recommend its passage.

H. T. CLARKE, Chairman,
Committee Accounts and Expenditures.

Council bill No. 2. A bill for an act to authorize D. Reavis to keep a ferry on the Great Nemaha river, in Richardson county, was taken up.

Read first time.

Rules suspended. Bill read a second time by its title, and referred to the committee on corporations.

House file No. 50. A bill for an act to restrain stock from running at large, in Lancaster and parts of Cass county, was taken up.

Read a second time by its title, and referred to the committee on agriculture.

House file No. 51. A bill for an act to amend an act entitled an act to allow the funding of the indebtedness of the territory, was taken up.

Read a second time by its title, and referred to the committee on ways and means.

House file No. 33. A bill for an act to create an election district of the counties of Hall, Buffalo, and Kearney, was taken up,
Read third time. Bill passed, and title agreed to.

House file No. 30. A bill for an act to locate a territorial road from Columbus, in Platte county, to Shell creek, was taken up.

Mr. Seymour of Douglas, moved that the bill be indefinitely postponed.
Lost.

On motion, the bill was ordered to be engrossed for a third reading to-morrow.

House file No. 41. A bill for an act to amend the act of incorporation of Dakota City, was taken up, and on motion, ordered to be engrossed for a third reading to-morrow.

House file No. 42. A bill for an act to locate a territorial road in the counties of Nemaha and Richardson, was taken up, and on motion, ordered to be engrossed for a third reading to-morrow.

House file No. 44. A bill for an act to locate a territorial road from Dakota City to Fort Kearney, or some other point, on Platte river, was taken up, and on motion, made a special order for to-morrow.

Mr. Clarke of Sarpy, on leave, introduced house file No. 52. A bill for an act to legalize the taxes for the years 1859, 1860, and 1861, in Nebraska Territory.
Read first time.
Rules suspended. Bill read second time by its title, and referred to the committee on ways and means.

House file No. 23. A bill for an act to establish an agency to promote emigration to this territary, was taken up, and on motion, ordered to be engrossed for a third reading on Friday next at 11 o'clock, A. M.

The following message was received from the council:

COUNCIL CHAMBER,
December 10, 1861.

Mr. Speaker:
I am instructed to inform your honorable body, that council bill No. 24, A bill for an act to provide for the service of process in suits against counties.

Also, council bill No. 31. A bill to assign the district judges.
The concurrence of the house is respectfully requested.
ROBT. W. FURNACE, Chief Clerk.

House file No. 13. Memorial and joint resolution relative to mail route, was taken up.

Read third time.

The question being on its passage, the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allgawahr, Allen, Barnard, Bates, Beall, Birchfield, Buchanan, Cahn, Chapin, Chalfant, Clark of Douglas, Clarke of Sarpy, Croxton, Davis, Eikenberry, Leaming, McLaughlin, O'Conner, Reck, Reynolds, Rowles, and Wattles—22.

Nays—Messrs. Barnum, Blakely, Bowen, Butler, Closser, Crow, Ewing, Hagaman, Holladay, Larsh, Porter, Reed, Seymour, and Wiles—14.

Bill passed and title agreed to.

The hour of 12½ o'clock having arrived, the house adjourned.
GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Wednesday 11, 1861.

House met pursuant to adjournment.
Speaker in the chair.
Prayer by the chaplain.
Roll called.
Absent—Messrs. Bates, Clark of Douglas, and Seymour.

Journal read and approved.

Mr. Reed of Nemaha, presented the petition of S. G. Daily, and forty others, praying that a charter may be granted to Avery Carter, for a ferry at Peru, in Nemaha county.

Read and referred to committee on corparations.

The following notices of bills were given:

By Mr. Reck of Platte, of A bill for an act to raise the rate of interest on territorial bonds.

By Mr. Crothers of Nemaha, of A bill for an act to exempt certain property belonging to those who have left the territory in a military capacity, from taxation.

By Mr. Reed of Nemaha, of A bill for an act to restrain sheep and swine from running at large in Nemaha county.

By Mr. Bowen of Washington, of A bill to change the location of territorial road from Fontenelle to Omaha,
Also, of A bill to locate a territorial road from Fort Calhoun, in Washington county, to Elkhorn City in Douglas county.

By Mr. Allen of Washington, of A bill for an act to collate and amend the school law.

By Mr, Davis of Douglas, of A bill for an act to amend an act entitled an act to authorize the sale of the cast iron of the territory of Nebraska.

By Mr. Clarke of Sarpy, for An act to lower the rates for printing the delinquent tax list and other public printing.

Mr. Bowen of Washington, on leave, introduced house file No. 53. A joint resolution for the appointment of a committee for the purpose of examining into the present territorial and county financial system.
Read first time.
Rules suspended. Bill read second and third time by its title, passed, and title agreed to.

Mr. Croxton of Otoe, introduced house file No. 54. A joint resolution and memorial relative to the exemption of the territory from the federal tax.
Read first time.
On motion, the rules suspended. Bill read second time by its title, and referred to committee of the whole house, and made a special order for Friday next at 3 o'clock, P. M.

Mr. Leaming of Burt, introduced house file No. 55. Memorial and joint resolution.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on federal relations.

Mr. Reynolds of Otoe, introduced the following resolution:
Resolved, That the house will hereafter hold afternoon sessions, commencing at 3 o'clock, P. M.
Laid over under the rule.

Mr. Reck of Platte, introduced the following resolution:
Resolved, By the house of representatives of the Territory of Nebraska, that the governor, secretary, judges of the supreme court, members of the council, and ex-members of the legislature, be, and

hereby are invited to take seats within the bar of this house at pleasure.

Laid over under the rule.

Mr. Croxton of Otoe, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 33, A bill for an act for the relief of Francis G. Beecher, have had the same under consideration, and beg leave to report the accompanying substitute therefor.

JOHN H. CROXTON, Chairman,
J. H. SEYMOUR,
JOHN S. BOWEN,
W. P. BIRCHFIELD,
H. T. CLARKE.

Mr. Holladay of Nemaha, submitted the following report:

Mr. Speaker:

The committee on engrossing and enrolling bills, report house file No. 42. An act to locate a territorial road in the counties of Nemaha and Richardson.

House file No. 41. A bill for an act to amend the act of incorporation of Dakota City.

House file No. 30. An act to locate a territorial road.

House file No. 23. A bill for an act to establish an agency for the purpose of encouraging and promoting emigration to the Territory of Nebraska, as correctly engrossed.

A. S. HOLLADAY, Chairman.

Mr. Allen of Washington, submitted the following report:

Mr. Speaker:

Your committee on judiciary, having had under consideration house file No. 45, An act to confirm the title of Lucinda Monell, to certain real estate in the City of Omaha, and Territory of Nebraska, beg leave to report the same back to the house with the following amendment, and recommend its passage:

In the thirty-third and thirty-fourth line of section one, strike out "sixty days" and insert "six months."

E. A. ALLEN, Chairman.

Mr. Davis of Douglas, submitted the following report:

Mr. Speaker:

The committee on county boundaries and county seats, to which was referred house file No. 36. A bill for an act to locate the county seat of Hall county.

Also, house file No. 38. A bill for an act providing that sheriffs must keep their offices at the county seats of their respective counties, report the same back to the house without amendment, and recommend their passage.

Your committee would also report back to the house, house file No. 20. An act to change the name of Shorter county.

Also, house file No. 43. A bill for an act to change the name of Shorter county, and recommend that they do not pass.

O. F. DAVIS, Chairman.

Mr. Griffin of Douglas, introduced house file No. 56. A bill for an act relative to the sale of the property of parties found in rebellion against the government of the United States, and for other purposes.

Read first time.

Rules suspended. Bill read second time by its title, and referred to the committee on judiciary.

Also, house file No. 57. A bill for an act to locate a territorial road from a point on the military road, in Platte county, to Clear creek, in Butler county.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on roads.

Mr. Larsh of Otoe, introduced house file No. 58. A bill for an act to create a lien in favor of mechanics and others.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Mr. Chapin of Cass, introduced house file No. 59. A bill for an act to repeal section forty of the revenue law.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Mr. Barnard of Dodge, introduced house file No. 60. A bill for an act to lease the school lands in Nebraska Territory.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on schools.

Mr. Holladay of Nemaha, introduced house file No. 61. A bill for an act to vacate certain streets and alleys in the town of Peru.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Mr. Allen of Washington, introduced house file No 62. A bill for an act to relieve the tax payers in Cuming City school district from paying school tax in said district.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on schools.

Mr. Blakely of Gage, introduced house file No. 63. A bill for an act to provide for the assessment of real and personal property, and collection of taxes in the county of Jones.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on accounts and expenditures.

Mr. Reed of Nemaha, introduced house file No. 64. A bill for an act to establish a ferry across the Missouri river, at Peru, Nemaha county.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on corporations.

Mr. Closser of Otoe, introduced house file No. 65. A bill for an act to provide for the redemption of property sold under execution.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committe on judiciary.

Council bill No. 24. A bill for an act to provide for serving processes against counties in certain cases.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Council bill No. 31. A bill for an act to assign district judges.

Read first time.

Rules suspended. Bill read second time by its title, and referred to a special committee, composed of the judiciary committtee and Messrs. McLaughlin and Bates.

House file No. 15. A bill for an act to legalize the acts of the county commissioners of L'Eau qui Court county, was taken up.

Read third time.

Bill passed and title agreed to.

House file No. 16. A bill for an act to legalize the taxes of the county of Dodge, was taken up.
Read third time.
Bill passed and title agreed to.

House file No. 41. A bill for an act to amend the act of incorporation of Dakota City, was taken up.
Read third time.
Bill passed and title agreed to.

House file No. 32. A bill for an act to legalize a certain official act of the county commissioners of Platte county, was taken up.
Read third time.
Bill passed and title agreed to.

House file No. 5. A bill for an act to establish a territorial road from Ponca City to Niobrara, was taken up.
Read third time.
Bill passed and title agreed to.

House file No. 12. A bill for an act to establish a territorial road from St. Johns to Ionia, was taken up.
Read third time.
Bill passed and title agreed to.

The following message was received from the council:

Mr. Speaker:

I am instructed to inform your honorable body that the council has passed the following resolution:

Resolved, By the council and house of representatives of the Territory of Nebraska, That a joint committee of two on the part of the council and three on the part of the house of representatives, be appointed to examine into and report to the legislature, by bill or otherwise, at as early a day as is practicable, during this session, any changes, alterations, or modifications in our present territorial and county financial systems, by them deemed necessary. Messrs. Sapp and Bennett, committee on the part of the council.

The concurrence of your house is respectfully requested.

ROBT. W. FURNAS, Chief Clerk.

House file No. 30. A bill for an act to locate a territorial road, was taken up.
Read third time.
Bill passed and title agreed to.

House file No. 42. A bill for an act to locate a territorial road through the counties of Nemaha and Richardson, was taken up.

Read third time.

Bill passed and title agreed to.

House file No. 10. A bill for an act to establish a ferry at Decatur, Burt county, was taken up.

Read third time.

Bill passed and tittle agreed to.

House file No. 48. A bill for an act to provide for the holding of district courts in Columbus, Platte county, was taken up.

Read third time.

Bill passed and title agreed to.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
December 11, 1861.

Mr. Speaker:

I am instructed to inform your honorable body that the council has passed council bill No. 23. A bill for an act to amend section one chapter nine, of an act providing for the settlement of the estates of decendents, and for other purposes, approved January 11, 1861.

Also, council bill No. 30. A bill for an act to amend an act to regulate and establish the interest on money and contracts.

Also, council bill No. 32. A bill for an act to correct certain errors in the code of civil procedure.

Also, council bill No. 35. A memorial and joint resolution, asking the postmaster general to make Omaha a distributing office.

The concurrence of the house is respectfully requested.

I am also instructed to return house file No. 1. Joint resolution for the translation of the governor's message and accompanyin documents, the same having passed the council without amendment.

ROBT. W. FURNAS, Chief Clerk.

House file No. 8. A bill for an act in relation to roads; to regulate the disposal of the road fund, and fully define the duties of supervisors, was taken up.

On motion, made a special order for to-morrow at 10 o'clock A. M.

Mr. Clark of Douglas, moved that when the house adjourn, it will be until 3 o'clock this afternoon.

Carried.

Mr. Seymour of Douglas, moved that house file No. 7, Memorial and joint resolution, relation to adjournment, be made a special order for this afternoon at 3 o'clock.
Carried.

House file No. 44. A bill for an act to establish a territorial road from Dakota City to Fort Kearney or some other point on the Platte River, was taken up.

Mr. Clark of Douglas, moved to amend by inserting "at or near," before the words Fort Kearney.
Carried.

Mr. McLaughlin of Dakota, moved to amend by inserting after the word commissioners, in section ———, "or any two of them."
Carried.
On motion, the bill was ordered to be engrossed for a third reading to-morrow.

House file No. 4. A bill for an act to encourage wool growing (substitute,) was taken up.

Mr. Griffin of Douglas, moved that the bill be made a special order for 3 o'clock to-morrow.
Carried.

The hour of 12½ o'clock having arrived, the house adjourned.

AFTERNOON SESSION—3 O'CLOCK.

House met pursuant to adjournment, and resumed business.

On motion of Mr. Griffin of Douglas, the house resolved itself into committee of the whole, having under consideration house file No. 7. Memorial and joint resolution relative to adjournment.
Mr. Griffin of Douglas, in the chair.

The house having resumed business, Mr. Griffin, chairman of committee of the whole, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 7. Memorial and joint resolution, relative to adjournment, have instructed me to report the same back, with the recommendation that it be indefinitely postponed.

The question before the house being, shall the bill be indefinitely postponed.

Ayes and nays demanded.

Ayes—Messrs. Allgawahr, Barnum, Barnard, Beall, Bowen, Cahn, Chapin, Chalfant, Crothers, Crow, Croxton, Davis, Eikenberry, Ewing, Griffin, Hagaman, Holladay, McLaughlin, O'Conner, Porter, Reck, Reed, Rowles, Seymour, Wattles and Wiles—26.

Nays—Messrs. Allen, Bates, Birchfield, Blakely, Buchanan, Butler, Closser, Clark of Douglas, Larsh, Leaming and Reynolds—11.

So the bill was indefinitely postponed.

Mr. Seymour of Douglass, moved to reconsider the vote by which the bill was indefinitely postponed.

Mr. Allen of Washington, moved to lay the motion on the table. Carried.

Council bill No. —. A joint resolution, was taken up.

Read first time.

Rules suspended. Bill read second and third time by its title.

Bill passed, and title agreed to.

The speaker appointed as a committee on the part of the house for the purpose of examining into the financial system of the territory and counties, Messrs. Bowen, Croxton, and Barnard.

Mr. Clark of Douglas, offered the following resolutions:

Whereas, The country is now shaken beneath the tread of two mighty armies—the one marshaled for the re-establishment of the authority of the Government throughout the whole Union; the other, organized for its overthrow; And whereas, we believe this to be a crisis in the history of the nation, in which it may well be said that "he who is not for us is against us," therefore,

Resolved, That this body deems it its first duty to renew its vows of allegiance to the Federal Government, and to re-affirm its devotion to the constitution bequeathed us by the wise and good men who established our liberties.

Resolved, That disavowing, as we do, the right of any state or states to nullify a federal law or secede from the federal Union, we regard such secession, or nullification, as treason against the United

States, and believe it to be the first and holiest duty of the government to uphold its laws and repress treason.

Resolved, That we most heartily endorse the following resolution of the Congress of the United States, namely: "That the present civil war has been forced upon the country by the disunionists of the southern states, now in arms against the constitutional government, and in arms around the capital; that in this national emergency, Congress, banishing all feeling of mere passion and resentment, will recollect only its duty to the whole country; that this war is not waged on their part in any spirit of oppression, or for any purpose of conquest or subjugation, or purpose of overthrowing or interfering with the rights of established institutions of those states, but to defend and maintain the supremacy of the constitution and to preserve the Union, with all the dignity, equality and rights of the several states unimpaired; and that as soon as these objects are accomplished the war ought to cease."

Resolved, That as in times past, Nebraska has ever been dutiful and obedient to paramount law—the constitution and laws of the United States—so in the future, it will remain faithful and loyal to that paternal government which has been the source of prosperity and progress.

Resolved, That relying upon the justice and righteousness of the holy cause in which the nation has been called to arms—and fully endorsing and sustaining the determination of the government alike to quell internal rebellion and resist and repel external insolence and invasion—and believing it to be the very glory of American citizenship to follow the flag whithersoever, whensoever and by whomsoever it may be borne aloft; and with a just sense of the responsibility which the declaration involves, we declare "we are for our country and against all assailants."

Resolved, That whenever an American citizen unsheaths his sword or shoulders his musket at his country's call, he should leave the spoilsman, the partisan, and the politician, in a nameless grave behind him.

And the following resolution by Mr. Holladay of Nemaha:

Whereas, The country we all love so much and revere; the liberties secured by the blood of our revolutionary fathers, and which have through succeeding generations been transmitted to us as an inestimable inheritance, are being jeopardized, and their perpetuity threatened by an internicine foe; a people with whom we have for nearly a century past fraternized as one great and common family, but whose conduct now leads us to exclaim, "For it was not an enemy that reproacheth me, then I could have borne it. But it was those, a man mine equal, my guide and my acquaintance."

And whereas, All reason has seemed in vain, and painful as it may be, it has become necessary that the powerful arm of the government must be brought into requisition to preserve and perpetuate itself—the most beneficent the world ever saw; and as the powers that be, in whose keeping the people have intrusted the sacred boon have been and are now endeavoring to perform, faithfully, its duties, it becomes the duty not only of individuals, associations, and communities, but of the legislative assemblies of the states and territories to contribute words of cheer, and show forth by expressions, desires for and confidence in the efforts to crush out treason, put down rebellion, and restore peace, harmony, and prosperity between the north and south, old friendship revived, and all the relations of uninterrupted brotherhood respected. Therefore, be it

Resolved, That we approve of the war by our government for the suppression of the causeless and unholy rebellion now waged against it.

Resolved, That we hold rebels against our government to be outside the pale of its protection.

Resolved, That we do earnestly pray the administration to use every means in its power to maintain the cause of the government, protect the flag of our country on every inch of American soil, suppress the rebellion, and show forth to the world that we have yet a government.

Resolved, That we recommend to the Congress of the United States now assembled at the city of Washington, to so amend the act of confiscation of certain property, so as to embrace all kinds of property.

Were, on motion of Mr. Reynolds of Otoe, adopted.

Mr. Clark of Douglas, offered the following:

And be it further resolved, That the secretary of the territory be, and he is most respectfully requested to forward copies of the above preamble and resolutions to the president of the senate and speaker of the house of representatives of the Congress of the United States, and also to our delegate in Congress.

On motion, the house at 4½ o'clock, adjourned.

GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES,
December 12, 1861.

House met pursuant to adjournment.

Prayer by the chaplain.

Roll called.

Absent—Messrs. Seymour and McLaughlin.

Journal read and approved.

Mr. Bowen of Washington, moved that the vote on house file No. 53, A joint resolution for the appointment of a committee to examine into our territorial and county financial system, be reconsidered.

Carried.

On motion, resolution laid on the table.

Mr. Reck of Platte, presented the petition of Henry J. Hudson, and twenty-five others, praying that the stock law now in force in the counties of Platte, Monroe, Dodge, and Hall may not be repealed.

Read and referred to committee on agriculture.

The following notices of bills were given:

By Mr. Allen of Washington, of A bill for an act to amend the revenue laws of this territory.

Also, of A bill for an act to locate a territorial road from Washington county to the north part of Kelly's precinct in Douglas county.

By Mr. Allgawahr of Richardson, of A bill for an act to encourage the cultivation of grapes.

Also, of A memorial and joint resolution relative to school lands in the Half-Breed reservation in Richardson and Nemaha counties.

By Mr. Seymour of Douglas, of A bill for an act regulating the general assembly of Nebraska.

By Mr. Clark of Douglas, of A bill for an act to provide for the appointment by the governor of an emigrant agent to visit the seaport cities and the Canadas, and to provide for the salary of the same.

By Mr. Bates of Dakota, of A bill for an act to restrain stock from running at large, in Dakota county.

By Mr. McLaughlin of Dakota, of A bill for an act in reference to contempt.

Mr. Allgawahr of Richardson, offered the following:

Resolved, That the speaker be, and is hereby authorized to appoint a committee of two on the part of the house to act with a like committee on the part of the council, to superintend the translation and printing of the governor's message into the German language.
Laid over under the rule.

The following notices of bills were given:

By Mr. Clark of Douglas, of A bill for an act to suspend the levying and collections of the road tax for the year 1862.
Also, of A bill for an act to amend the revenue law.

Resolution relative to afternoon sessions, was taken up.
On motion, made a special order for Tuesday next.

Resolution designating who shall be entitled to seats within the bar of the house, was taken up.
On motion, adopted.

Mr. Holladay of Nemaha, submitted the following report:

Mr. Speaker:

The committee on engrossed and enrolled bills, beg leave, to report the following bills as correctly engrossed;
House file No. 6. An act to authorize H. W. Summerlad and Geo. Walters to keep a ferry across the Missouri river at Arago, Richardson county, Nebraska Territory.
House file No. 44. A bill for an act to locate and establish a territorial road from Dakota City to Fort Kearney, or some other point on the Platte river.

A. S. HOLLADAY, Chairman.

Mr. Clark of Douglas, submitted the following report:

Mr. Speaker:

Your committee to whom was referred house file No. 60. A bill for an act to regulate the leasing the school lands in the Territory of Nebraska, having had the same under consideration, beg leave to submit a substitute embodying the subject of the bill referred to, and recommend its passage.

M. H. CLARK,
A. S. HOLLADAY,
N. B. LARSH,
E. H. BARNARD,
D. MCLAUGHLIN.

Mr. Speaker:

Your committee to whom was referred house file No. 62. A bill for an act to relieve the tax payers of Cuming City, Washington county, school district, from payment of district school tax, having had the same under consideration, beg leave to report the same back to the house and recommend its passage.

M. H. CLARK, Chairman.
N. B. LARSH,
A. S. HOLLADAY.

Mr. Seymour of Douglas, submitted the following report:

Mr. Speaker:

The committee on federal relations report that they have had under consideration house file No. 26. Memorial and joint resolution relative to diverting the annual appropriations by Congress for legislative purposes, to the payment of the national war tax for the year 1862–'63; and your committee report the same, together with house file No. 39. A bill convening the legislature for 1863—which bill is based upon the adoption of said memorial. Which memorial and bill your committee return, without recommendation.

Also, joint memorial and resolution, house file No. 55, relative to a mail route from Marshal Lowe's to Decatur, Nebraska Territory; and recommend its passage without amendment.

J. H. SEYMOUR, Chairman.

Mr. Reck of Platte, submitted the following report:

Mr. Speaker:

Your committee to whom was referred house file No. 63. A bill for an act to provide for the assessment and collection of taxes in the county of Jones, having had the same under consideration, report the same back to the house, and recommend its passage.

JOHN RECK,
NATHAN BLAKELY,
JAS. CHALFANT,
H. B. PORTER,
S. T. LEAMING.

Mr. Hagaman of L'Eau qui Court, submitted the following report:

Mr. Speaker:

Your committee on roads, to whom was referred house file No. 28, and house file No. 29, having had the same under consideration, beg leave to report the same back without recommendation.

Your committee have also had under consideration house file No. 57, and report the same back, and recommend its passage.

R. M. HAGAMAN, Chairman.

Mr. Reynolds of Otoe, submitted the following report:

Mr. Speaker:

Your committee to whom was referred council bill No. 2. A bill for an act to authorize Daniel Reavis to keep a ferry on the Great Nemaha river, in Richardson county, having had the same under consideration, beg leave to report it back to the house, and recommend its passage with the following amendment: by striking out the words "two horses and wagon, thirty-five cents," and the words "two horses and wagon with load," in section two, and insert in lieu thereof "two horses and wagon, forty cents."

Your committee to whom was referred house file No. 64. An act authorizing Avery Carter to keep a ferry across the Missouri river, at Arago, Nemaha county, Nebraska Territory, having had the same under consideration, beg leave to report it back to the house, and recommend its passage with the following amendment: strike out in section four the words "one wagon and two horses, loaded," and the words "one empty," and insert in lieu thereof "one wagon and two horses, seventy-five cents."

MILTON W. REYNOLDS,
DAVID BUTLER,
E. W. BARNUM,
JAMES H. SEYMOUR,
S. T. LEAMING.

On motion, the house resolved itself into committee of the whole, having under consideration house file No. 8. A bill for an act in relation to roads, to regulate the disposal of the road fund, and fully to define the duties of supervisors.

Mr. Seymour of Douglas, in the chair.

The house having resumed business, Mr. Seymour submitted the following report:

Mr. Speaker:

The committee of the whole, to whom was referred house file No. 8. A bill for an act in relation to roads, to regulate the disposal of the road fund, and fully to define the duties of supervisors; have directed me to report progress thereon, and ask leave to sit again to-morrow at 10½ o'clock, A. M.

Leave granted.

The hour of 12¼ o'clock having arrived, the house adjourned.

GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Friday, December 13, 1861.

House met pursuant to adjournment.
Speaker in the chair.
Prayer by the chaplain.
Roll called.
Absent—Messrs. Clark of Douglas, and Seymour.
Journal of yesterday read and approved.

Mr. Croxton of Otoe, moved to reconsider the vote on house file No. 54. Memorial and joint resolution.
Lost.

Resolution relative to committee on printing the governor's message in German, was taken up.

On motion of Mr. Allen of Washington, resolution adopted.

Messrs. Allgawahr and Cahn appointed such committee.

Mr. Seymour of Douglas, introduced house file No. 66. A bill for an act regulating the general assembly of Nebraska.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Mr. Allgawahr of Richardson, introduced house file No. 67. A bill for an act to encourage the cultivation of grapes.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on agriculture.

Mr. Davis of Dauglas, introduced house file No. 68. A bill for an act to amend an act to authorize the sale of the cast iron of the Territory of Nebraska.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on schools.

Mr. Butler of Pawnee, introduced house file No. 69. A bill for an act to legalize the organization of Pawnee county.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Mr. Griffin of Douglas, introduced house file No. 70. A bill for an act to restrain stock from running at large in the Territory of Nebraska.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on agriculture.

Mr. Allen of Washington, introduced house file No. 71. A bill for an act to locate a territorial road from Fort Calhoun, Washington county, to Kelly's Precinct, Douglas county.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on roads.

Mr. Davis of Douglas, introduced house file No. 72. A bill for an act regulating the laying out of towns and villages.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Mr. Birchfield of Otoe, introduced house file No. 73. A bill for an act to stay all proceedings in civil cases for two years.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Mr. Clark of Douglas, introduced house file No. 74. A bill for an act suspending the levying and collection of the road tax for 1862.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on ways and means.

Also, house file No. 75. A bill for an act to amend the revenue law, and provide for the payment of the current expenses of the territory.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Mr. Reynolds of Otoe, introduced house file No. 76. A bill for an act to encourage the manufacture of salt.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on mines and minerals.

Mr. Clark of Douglas, introduced house file No. 77. A bill for an act to define what is a legal publication.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Mr. Ewing of Richardson, introduced house file No. 78. A bill for an act requiring probate judges to hold their offices at the county seats of their respective counties.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Council bill No. 23. A bill for an act to amend section one of chapter nine of an act providing for the settling of the estates of decedents, and for other purposes, was taken up.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Council bill No. 30. A bill for an act entitled an act to amend an act to regulate and establish the ratio of interest on money and contracts.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Council bill No. 32. A bill reported by judiciary committee as substitute for council bill No. 32.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Council bill No. 35. A memorial and joint resolution asking postmaster general to make a distributing office west of the Missouri river.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on federal relations.

House file No. 79. A bill for an act to incorporate the first Presbyterian church at Bellevue.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on corporations.

On motion, the house resolved itself into committee of the whole on the special order of the day, being house file No. 8, relative to the road funds, and to define the duties of supervisors.
Mr. Seymour in the chair.

The house having resumed business, Mr. Seymour, chairman of the committee of the whole, reported progress and asked leave to sit again.

Leave granted.

On motion, Mr. Clarke of Sarpy was granted leave of absence for ten days.

On motion, Mr. Barnum of Cass was granted leave of absence for four days.

On motion, the house took a recess till 2½ o'clock this P. M.

AFTERNOON SESSION—2½ O'CLOCK.

House met and resumed business.

On motion, the house resolved itself into committee of the whole on house file No. 8. A bill for an act in relation to roads, to regulate the disposal of the road fund, and fully to define the duties of supervisors.

Mr. Seymour in the chair.

The house having resumed business, Mr. Seymour submitted the following report:

Mr. Speaker:

The committee of the whole, to whom was referred house file No. 8, A bill for an act in relation to roads, to regulate the disposal of the road fund, and to fully define the duties of supervisors, having had the same under consideration, have made several amendments thereto, and recommend its passage as amended.

On motion of Mr. Allen of Washington, the bill was recommitted to a special committee of three, consisting of Messrs. Allen, Seymour and Chapin, for the purpose of harmonizing the amendments proposed to said bill by the committee of the whole with its provisions.

On motion of Mr. Croxton of Otoe, the house resolved itself into committee of the whole, having under consideration house file No. 54. Memorial and joint resolution relative to the exemption of the Territory of Nebraska from the federal direct tax.

Mr. Allen of Washington in the chair.

After some time spent therein, the committee arose, and through their chairman reported the same back to the house, with the recommendation that it be referred to the committee on federal relations.

Report adopted, and the bill so referred.

Mr. Wattles of Sarpy, moved that when the house adjourn, it adjourn until two o'clock P. M. on Monday next.

Mr. Clark of Douglas, moved to amend by saying 10 o'clock tomorrow morning.
Carried.
Motion as amended carried.

Mr. Holladay of Nemaha moved that the house do now adjourn.
Lost.

On motion of Mr. Bowen of Washington the house resolved itself into committee of the whole, having under consideration house file No. 4. A bill for an act to encourage wool growing.
Mr. Clark of Douglas, in the chair.

After some time spent therein, the committee arose, and through their chairman reported the bill back to the house, with several amendments attached thereto, and recommended its passage as amended.

On motion the house at 5 o'clock P. M. adjourned.

GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Saturday, Dec. 14, 1861.

House met pursuant to adjournment.
Speaker in the chair.
Prayer by the chaplain.
Roll called.
Absent—Mr. McLaughlin.
Journal read and approved.

Mr. Allen of Washington, presented the petition of William T. Bailey and others, praying for the erection of a mill dam.
Read, and referred to committee on roads.

Also, gave notice of A bill for an act to authorize William T. Bailey to erect a mill dam across Noheart creek, in Washington county, Nebraska Territory.

Also, to provide for the organization and encouragement of teachers' institutes in the Territory of Nebraska.

Mr. Griffin of Douglas submitted the following report:

Mr. Speaker:

Your committee to whom was referred house file No. 70, A bill to restrain stock from running at large in the Territory of Nebraska, have had the same under consideration, and ask leave to report the subjoined substitute therefor, and recommend its passage.

Also, A bill for an act to encourage the cultivation of grapes, which they have had under consideration, and ask leave to report the same back to the house, with the subjoined amendment, and recommend its passage as amended.

JOEL T. GRIFFIN, Chairman.

Mr. Allen of Washington, submitted the following report:

Mr. Speaker:

The select committee, to whom was referred house file No. 8. A bill for an act in relation to roads, to regulate the disposal of the road fund, and to fully define the duties of supervisors, together with the amendments made thereto, have had the same under consideration, and recommend its passage as amended.

E. A. ALLEN, Chairman.
J. H. SEYMOUR,
WM. F. CHAPIN.

Mr. Leaming of Burt, introduced house file No. 80. A bill for an act entitled an act to confer the elective franchise on citizens living on Indian reservations.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Mr. Allen of Washington, introduced house file No. 81. A bill for an act to repeal an act authorizing county commissoners to pay interest on county orders.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on ways and means.

Mr. Crothers of Nemaha, introduced house file No. 82. A bill for an act to exempt certain property of soldiers who have entered the service of the United States of America.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on military affairs.

House file No. 11. A bill for an act entitled an act to prevent sheep and swine from running at large in the county of Burt, was taken up.

Rules suspended. Bill read third time.
Bill passed and title agreed to.

House file No. 19. A bill relative to herding cattle in the county of Dodge was taken up, and ordered engrossed for a third reading to-morrow.

House file No. 22. A bill for an act to vacate a part of the town plat of Elmwood City, Otoe county, was taken up.
Rules suspended. Bill read third time.
Bill passed and title agreed to.

House file No. 25. A bill for an act to change the time of the meeting of the legislature, was taken up.

Mr. Blakely of Gage, moved to amend by changing the time from first Monday in December to second Monday in November.
Lost.

On motion, the bill was ordered to be engrossed for a third reading on Tuesday next.

House file No. 33. A bill for an act for the relief of Francis G. Beecher, was taken up.

Mr. Reck of Platte, moved to amend by striking out all after the word "territory," in section two.
Carried.
On motion, ordered engrossed for a third reading to-morrow.

House file No. 21. A bill relative to the board of trustees of the town of Fremont, was taken up.
Rules suspended. Bill read third time.
Bill passed and title agreed to.

Mr. Davis of Douglas, moved that when the house adjourn it will be until Monday, at 2 o'clock P. M.
Carried.

House file No. 38. A bill for an act to compel probate judges to keep their offices at the county seats of their respective counties, was taken up.

On motion, recommitted to committee on judiciary.

House file No. 36. A bill for an act to re-locate the county seat of Hall county, was taken up.
Rules suspended. Bill read third time.
Bill passed and title agreed to.

House file No. 40. A bill for an act to fix the time for holding the district court in the county of Dakota, was taken up.

On motion, laid on the table.

House file No. 39. A bill for an act concerning the convening of the legislature, was taken up.

Mr. Seymour moved its indefinite postponement.
Lost.

Mr. Holladay moved that the bill be postponed until Tuesday next.
Carried.

House file No. 45. A bill for an act to confirm the title of Lucinda Monell, to certain real estate in the city of Omaha, was taken up.

Amendments proposed by the committee adopted.
On motion, ordered to be engrossed for a third reading to-morrow.

The hour of 12¼ o'clock having arrived, the house adjourned.
GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES.
Monday, December 16, 1861.

House met pursuant to adjournment, at 2 o'clock P. M.
Speaker in the chair.
Prayer by the chaplain.
Roll called.
Absent—Messrs. Chapin, Larsh and Seymour.
Journal read and approved.

On motion, leave of absence was granted Mr. Larsh during the day.

Mr. Reck of Platte, presented the petition of J. W. Stephens and others, praying that stock be prevented from running at large in Platte and Monroe counties.
Read, and referred to committee on agriculture.

Mr. Griffin of Douglas, presented the petition of J. W. Wilson, and 217 others, praying for the re-apportionment of the house of representative and council.
Read, and referred to committee on privileges and elections.

The following notices of bills were given;

By Mr. Reck of Platte, of A bill for an act to establish a ferry on the north fork of Platte river.

By Mr. Butler of Pawnee, of A bill for an act to fix the toll of millers.

Mr. Bowen of Washington, introduced house file No. 83. A bill for an act to establish a territorial road from Fort Calhoun, Washington county, to Elkhorn City, Douglas county, and change part of a territorial road between Omaha and Fontenelle.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on roads.

Mr. Butler of Pawnee, introduced house file No. 84. A bill for an act to apportion and define council districts.

Read first time.

Rules suspended. Bill read second time by its title, and on motion, referred to a special committee, consisting of Messrs. Butler, Bowen, Birchfield, Clark of Douglas, and McLaughlin.

Mr. Bowen submitted the following report:

Mr. Speaker:

The committee on militia, to whom was referred house file No. 82, An act for a law to exempt certain property of soldiers who have entered the service of the United States of America, respectfully report the same as committed, and recommend its passage.

JOHN S. BOWEN.
A. S. HOLLADAY.
R. M. HAGAMAN.
AARON CAHN.
W. P. BIRCHFIELD.

Mr. Hagaman of L'Eau qui Court county, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 71, A bill for an act to locate a territorial road from Fort Calhoun, in Washington county, to the north-east part of Shelley's precinct, in Douglas county, beg leave to report the same back with the following amendments, and recommend its passage: Amend, by inserting after the word duty, in the first line of section two, "of the commissioners," and after the word said, in the first line of section three, insert "road," and in section five, in the second line, insert after the word fund, "of the district or districts *pro rata*, through which the same may pass."

R. M. HAGAMAN, Chairman,
Road Committee.

Mr. Croxton of Otoe, submitted the following report:

Mr. Speaker:

Your committee of ways and means, to whom was referred house file No. 46, A bill for an act to repeal certain sections of an act, entitled an act to prevent overdrawing public funds in counties, and compel county commissioners to give bonds; and also, house file No. 74, A bill for an act to suspend the levy and collection of the road tax in the Territory of Nebraska, for the year 1862, beg leave to report the same, with the recommendation that they do not pass.

J. H. CROXTON.
J. H. SEYMOUR.
J. S. BEWEN.
W. P. BIRCHFIELD.

Mr. Speaker:

Your committee here further state that they have had under consideration house file No. 35. A bill for an act for the appointment of county and precinct officers; and also, house file No. 27. A bill for an act fixing the time for certain officers to qualify, and giving power to demand additional securty, report the same back to the house, with the recommendation that they be recommitted to the judiciary committee.

J. H. CROXTON.
J. H. SEYMOUR.
J. S. BOWEN.
W. P. BIRCHFIELD.

Mr. Croxton of Otoe, submitted the following report:

Mr. Speaker:

Your committee on ways and means, to whom was referred council bill No. 6. An act to repeal land tax of three dollars on quarter section.

Also, council bill No. 30. Entitled an act to amend an act to regulate and establish the interest on money and contracts. Report the same back to the house without recommendation.

J. H. CROXTON.
J. H. SEYMOUR.
J. S. BOWEN.
W. P. BIRCHFIELD.

Mr. Speaker :

Your committee on ways and means, to whom was referred house file No. 24, A bill for an act to legalize the tax levy of A. D. 1861, and the sale of property for the unpaid taxes of 1860, for Douglas county, Nebraska, having had the same under consideration, beg leave to report the same with the following amendments : Insert after the words required to, in the second line in section third, the following words, to wit: "Advertise and." Also, insert after unpaid, in the fourth line in section three, the word "within."

All of which is respectfully submitted.

J. H. CROXTON.
J. H. SEYMOUR.
J. S. BOWEN.
W. P. BIRCHFIELD.

Mr. Croxton of Otoe, submittted the following report:

Mr. Speaker :

Your committee on ways and means, to whom was referred house file No. 9, A bill for an act to legalize the tax levy of A. D. 1861, in Burt county, Nebraska Territory, having had the same under consideration, beg leave to report the same back, with the recommendation that it pass.

All of which is respectfully submitted.

J. H. CROXTON.
J. H. SEYMOUR.
J. S. BOWEN.
W. P. BIRCHFIELD.

Your committee further report, that they have had under consideration house file No. 2. An act to amend the revenue law.

Also, house file No. 17. A bill for an act to further prescribe the duties of county treasurers.

Also, house file No. 18. A bill for an act to amend an act entitled an act to allow the funding of the indebtedness of the territory.

Also, house file No. 51. A bill to amend an act entitled an act to allow the funding of the indebtedness of the territory, beg leave to report the same back to the house without recommendation.

All of which is respectfully submitted.

J. H. CROXTON.
J. H. SEYMOUR.
J. S. BOWEN.
W. P. BIRCHFIELD.

House file No. 3. A bill for an act to amend the civil code of procedure, was taken up.

On motion of Mr. Croxton of Otoe, it was indefinitely postponed.

MESSAGE FROM THE HOUSE.

COUNCIL CHAMBER,
December 16, 1861.

Mr. Speaker:

I am instructed to inform your honorable body that the council has passed council bill No. 22. A bill for an act in relation to the time of commencing civil actions.

Also, council bill No. 39. Memorial and joint resolution in reference to mail route from Nebraska City to New Fort Kearney, and from said city to Ottumwa, Iowa. The concurrence of the house is respectfully requested.

ROBT. W. FURNAS, Chief Clerk.

House file No. 55. A joint memorial and resolution relative to a mail route, was taken up.
Rules suspended. Bill read third time.
Bill passed and title agreed to.

House file No. 57. A bill for an act to locate a territorial road from a point on the military road, in Platte county, to Clear Creek, in Butler county, was taken up.
Rules suspended. Bill read third time.
Bill passed, and title agreed to.

House file No. 63. A bill for an act providing for the assessment of the real and personal property, and collection of taxes in Jones county, was taken up.

Mr. Croxton of Otoe, moved the following as a substitute for section three, That territorial and school taxes from said county of Jones, shall be paid into the territorial treasury as from other counties.
Lost.

On motion, the further consideration of the bill was postponed.

House file No. 47. A joint resolution relative to the completion of the two chambers designed for the use of the council and house of representatives, was taken up.
Rules suspended. Bill read third time.
Bill passed and title agreed to.

House file No. 64. A bill for an act authorizing Avery Carter to keep a ferry across the Missouri river, at Peru, Nemaha county, was taken up.

Amendments proposed by committee, adopted.
On motion, ordered engrossed for third reading to-morrow.

Council bill No. 2. A bill for an act to authorize Daniel Reavis to keep a ferry across the Great Nemaha river, Richardson county, was taken up.
Amendment of committee adopted.
Rules suspended. Bill read third time.
Bill passed and title agreed to.

Council bill No. 16. A bill for an act entitled an act for the appointment of masters in chancery, was taken up.
Rules suspended. Bill read third time by its title.
Bill passed and title agreed to.

Council bill No. 3. A bill for an act to incorporate the Falls City Library Association, was taken up.
Amendments proposed by committee adopted.
Rules suspended. Bill read third time.
Bill passed and title agreed to.

Council bill No. 18. A bill for an act to amend section twenty-two, of an act to define the duties of county clerks and commissioners, approved January 22, 1861, was taken up.
Rules suspended. Bill read third time.
Bill passed and title agreed to.

The following message was received from the council:

Mr. Speaker:

I am instructed to inform your honorable body, that the council have passed council bill No. 11. A bill for an act to amend sections eighty-three and one hundred of the code of civil procedure.

Also, Council bill No. 28. A bill for an act to encourage the growth of sheep.

The concurrence of the house is respectfully requested.

ROBT. W. FURNAS, Chief Clerk.

House file No. 6. A bill for an act to authorize H. W. Summerlad and George Walther, to keep a ferry across the Missouri river, at Arago, Richardson county, was taken up.
Rules suspended. Bill read third time.
Bill passed and title agreed to.

House file No. 23. A bill for an act to establish an agency for the purpose of encouraging and promoting emigration to the Territory of Nebraska, was taken up.

Mr. Allgawahr of Richardson, moved that the bill be indefinitely postponed.
Carried.

On motion, Mr. Seymour of Douglas, was granted leave of absence for two days.

House file No. 44. A bill for an act to locate a territorial road from Dakota City to Fort Kearney, or some point on the Platte river at or near Fort Kearney, was taken up.
Read third time.
Bill passed and title agreed to.

Council bill No. 11. A bill for an act to amend sections eighty-three and one hundred of the code of civil procedure, was taken up.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Council bill No. 21. A bill for an act in relation to the time for commencing civil actions, was taken up.
Read first time.
Rules suspended. Bill read second time by its title, and referred to the committee on judiciary.

Council bill No. 28. A bill for an act to encourage the growth of sheep, was taken up.
Read first time.
Rules suspended. Bill read second time by its title, and referred to the committee on agriculture.

Council bill No. 39. Memorial and joint resolution relative to a mail route from Nebraska City to New Fort Kearney and from said city to Ottumwa, Iowa, was taken up.
Read first time.
Rules suspended. Bill read second time by its title, and referred to the committee on federal relations.

House file No. 24. A bill for an act to legalize the tax levy for 1861, and the sale of property for the unpaid taxes of 1860, in Douglas county.
On motion, the amendments proposed by the committee to said bill, were adopted.
Ordered engrossed for a third reading to-morrow.
On motion, the house at 4 o'clock, P. M., adjourned.

GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Tuesday, December 17, 1861.

House met pursuant to adjournment.
Prayer by the chaplain.
Roll called.
Absent—Messrs. Cahn, Rowles, and Larsh.
Journal read and approved.

On motion, leave of absence was granted Messrs. Larsh, Cahn and Rowles, for the day.

Mr. Allen of Washington, presented the petition of John Merrick, and twenty others, praying that a certain portion of taxes of Logan precinct, be refunded.

Read and referred to committee on schools.

Also, the petition of S. E. Seeley, and twenty-one others, praying that stock be restrained from running at large, in Logan precinct, Washington county.

Read and referred to committee on agriculture.

Mr. Holladay submitted the following report:

Mr. Speaker:

Your committee on engrossed and enrolled bills report the following bills as correctly engrossed:

House file No. 19. A bill for an act relative to the herding of stock in the county of Dodge.

House file No. 45. An act to confirm the title of Lucinda Monell, to certain real estate in the city of Omaha, and Territory of Nebraska.

House file No. 25. A bill for an act to change the time for the meeting of the legislature.

House file No. 33. A bill for an act for the relief of Francis G. Beecher.

House file No. 8. A bill for an act in relation to roads, to regulate the disposal of the road fund, and fully to define the duties of supervisors.

A. S. HOLLADAY, Chairman.

Mr. Davis of Douglas, submitted the following report:

Mr. Speaker:

Your committee to whom was referred house file No. 31. A bill for an act to attach the counties of Platte, Hall, Buffalo and Kearney to Dodge, Otoe and Cass, for election purposes.

Also, house file No. 49. A bill for an act to attach a part of Polk county to Platte; having had the same under consideration, beg leave to report the same back to the house without recommendation.

O. F. DAVIS, Chairman.

Mr. Griffin of Douglas, on leave, introduced house file No. 85. A bill for an act regulating elections.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on elections.

Mr. Leaming of Burt, on leave, introduced house file No. 86. A bill for an act defining the boundary of Stanton county.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on county boundaries and county seats.

Mr. Crow of Nemaha, introduced house file No. 87. A bill for an act to provide for an estray law.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on agriculture.

Mr. Leaming of Burt, on leave, introduced house file No. 88. A bill for an act to provide for a special election in Cuming county, to provide for the records in said county, and for other purposes.

Read first time.

Rules suspended. Bill read second time by its title, and referred to a special committee, consisting of Messrs. Leaming, Buchanan and Beall.

House file No. 9. A bill for an act to legalize the tax levy of 1861, in Burt county, was taken up.

Read third time.

Bill passed and title agreed to.

House file No. 35. A bill for an act for the appointment of county and precinct officers, was taken up.

On motion of Mr. Allen of Washington, recommitted to a special committee of three, consisting of Messrs. Allen, Blakely and Reed.

House file No. 51. A bill for an act to amend an act to allow the funding of the indebtedness of the Territory of Nebraska, was taken up.

On motion of Mr. Croxton of Otoe, recommitted to joint committee on finance.

House file No. 46. A bill for an act to repeal certain sections of an act, entitled an act to prevent over-drawing of public funds of counties, and to compel county commissioners to give bonds, was taken up.

On motion of Mr. McLaughlin of Dakoto, was laid on the table.

House file No. 62. A bill for an act to relieve the tax payers of Cuming City school district, was taken up.
Read third time.
Bill passed and title agreed to.

House file No. 67. A bill for an act to encourage the cultivation of grapes, was taken up.

On motion, amendment proposed by the committee was adopted, and ordered to be engrossed for a third reading to-morrow.

House file No. 70. (Substitute,) A bill for an act to prevent stock from running at large in the Territory of Nebraska, was taken up.

On motion, the house resolved itself into committee of the whole on said bill.
Mr. Bowen of Washington, in the chair.
After some time spent therein, the committee arose, and through their chairman, reported the bill back to the house, with certain amendments attached thereto, and asked leave to sit again.
Leave granted.

House file No. 71. A bill for an act to locate a territorial road from Fort Calhoun, Washington county, to Kelly's precinct, Douglas county, was taken up.

On motion, amendments proposed by committee, were adopted.

Mr. Davis of Douglas, moved to amend, by striking out all after the word county, in section five.
Carried.

On motion, ordered engrossed for a third reading to-morrow.

Council bill No. 30. A bill for an act to regulate and establish the rate of interest on money and on contracts, was taken up.

On motion, made a special order for to-morrow.

House file No. 8. A bill for an act relative to roads, to regulate the disposal of the road fund, and fully to define the duties of supervisors, was taken up.
Read third time.
Bill passed and title agreed to.

House file No. 25. A bill for an act to change the time of the meeting of the legislature, was taken up.
Read third time.
Bill passed and title agreed to.

House file No. 45. A bill for act to confirm the title of Luconda Monell, to certain real estate in the city of Omaha, was taken up.
Read third time
Bill passed and title agreed to.

House file No. 33. A bill for an act for the relief of Francis G. Beecher, was taken up.

Mr. Reck of Platte, moved that the bill be recommitted to the committee of one for correction.
Carried.
Mr. Reck appointed said committee.

House file No. 19. A bill for an act relative to the herding of cattle in the county of Dodge, was taken up.

Mr. Barnard moved that the bill be recommitted to a committee of one for correction.
Mr. Barnard appointed said committee.

Mr. Reck of Platte, to whom was referred house file No. 33, reported the same back with the necessary correction made therein.
Report adopted, and the bill ordered re-engrossed for third reading to-morrow.

Mr. Barnard of Dodge, to whom was referred house file No. 19, reported the same back to the house with the necessary corrections made therein.
Report adopted, and bill ordered re-engrossed for third reading to-morrow.

On motion, the house at 12 o'clock adjourned.
GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES.
Wednesday, December 18, 1861.

House met pursuant to adjournment.
Speaker in the chair.
Prayer by the chaplain.
Roll called.
Absent—Messrs. Allen and Clark of Douglas.
Journal read and approved.

Mr. Bowen presented sundry petitions of citizens of Cuming City precinct, Washington county, praying for the passage of a herd law.
Petition read. Referred to committee on agriculture.

Mr. Reck of Platte, presented the petition of Charles Quinn, and twenty others, praying for the passage of an act to prevent stock from running at large in Platte, Monroe, Dodge and Hall counties.
Petition read. Referred to committee on agriculture.

The following notices of bills were given:

By Mr. Larsh of Otoe, of A bill for an act to prevent parties from giving testimony in their own cases.

By Mr. Bowen of Washington, of A bill to provide for a herd law for Cuming City precint, Washington county.

By Mr. Reck of Platte, of A bill to amend the license law.

By Mr. Seymour of Douglas, of A bill for an act to amend article ten of an act relating to the forcible entry and detention or forcible entry only of property.

Mr. Hagaman of L' Eau qui Court, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 83, A bill for an act to establish a territorial road from Fort Calhoun to Elkhorn City, and to change the location of a part of the territorial road from Omaha to Fontenelle, having had the same under consideration, beg leave to report the same back with the following amendment, and recommend that it do pass. Amend by inserting after the word paid, on the sixth line of section four, the words "in proportion to the length of said road in each county."

R. M. HAGAMAN, Chairman,
Road Committee.

Mr. Holladay of Nemaha, presented the following report:

Mr. Speaker:

The committee on engrossed and enrolled bills, make the following report of bills as being correctly engrossed:

House file No. 67. A bill for an act to encourage the cultivation of grapes.

House file No. 24. A bill to legalize the tax levy of A. D. 1861, and the sale of property for the unpaid taxes of 1860, for Douglas county, Nebraska.

House file No. 71. A bill for an act to locate a territorial road from Fort Calhoun, Washington county, to the north part of Kelly's precint in Douglas county.

House file No. 33. A bill for an act for the relief of Francis G. Beecher.

House file No. 19. A bill for an act relative to the herding of stock in the county of Dodge.

House file No. 64. An act to authorize Avery Carter to keep a ferry across the Missouri river, at Peru, Nemaha county.

A. S. HOLLADAY, Chairman.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
December 18, 1861.

Mr. Speaker:

I am instructed to inform your honorable body, that the council has passed council bill No. 37, A bill for an act to repeal a part of section one hundred and forty-eight, of the criminal code, and the concurrence of the house is respectfully requested.

Also, the council has passed council bill No. 7, a bill for an act to repeal subdivision "B" of the criminal code, and for other purposes, and ask the concurrence of the house.

ROBT. W. FURNAS, Chief Clerk.

Mr. Griffin submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 87, An act to provide for an estray law, having had the same under consideration, ask leave to report the same back to the house, and recommend that it do not pass.

Also, council bill No. 28, a bill to encourage the growth of sheep, having had the same under consideration, ask leave to report the same back to the house with the following amendments: in section one, in fourth line, strike out the word "five" and insert "one thousand," and in five lines after the word "and" insert "any number of," and recommend its passage as amended.

JOEL T. GRIFFIN, Chairman.

Mr. Griffin of Douglas, chairman of the committee on agriculture, submitted the following report:

Mr. Speaker:

Your committe to whom was referred so much of the governor's message as relates to agriculture, have carefully considered the same, and most cordially agree with him, that increased encouragement should be offered to promote the agricultural interests of the territory, and more especially to promote the growth of forest timber.

The first settlement of this territory was at a time when a spirit of speculation pervaded the whole United States. Cultivation of the soil as a source of profit, or even a means of livelihood, was not regarded with favor. When whole cities were produced in a day, and town lots were sold almost like crops of the harvest. Cities thus created, and a commerce thus sustained, by the importation of gold and credit, instead of the exportation of the products of the soil, by honest industry, soon experienced severe reverses. The sober truth is now self-evident to all without argument, that the cultivation of the soil itself is the only permanent guarantee of true prosperity.

Where the first outlay is small, the returns rapid, and the profit sure, no special legislation is necessary to protect or encourage any kind of industry; but when the outlay is large, and the returns slow, and the profits less certain, special legislation should, in the early settlement of a territory, provide a judicious protection and proper encouragement, in order that the future interests of the state may not be overlooked, or its future prospects retarded by neglecting those products which, however unprofitable in the beginning, soon become not only profitable, but necessary to permanent prosperity. The inducement offered should be equal to the deficiency, and have direct reference to the outlay of time and money expended before there is a profitable return.

Almost immediately after the organization of this territory, agricultural societies were incorporated, and in some of the counties, commenced active operation. These societies, by offering prizes for excellence in various productions, furnish a sufficient stimulus for the cultivation of crops. It seems to your committee, however, that there are some crops which should be encouraged by territorial or county patronage, because they seem fitted here, and there is not yet sufficient experience to induce private enterprise to that extent which our territorial interests demand.

It seems to your committee that this territory is peculiarly adapted to the growth of wool, and that if the experiment were made to a sufficient extent, its success would do much to develop our territory. We believe if all the capital invested in wool growing in this territory should be exempted from taxation and execution, even for five years, and at the end of that time give a premium in cash to the men who had the best stock, all things considered, mode of management, &c., &c., would be money well invested.

Your committee believe this territory well adapted to the cultivation of grapes, and that their cultivation should be encouraged by legislation. Your committee are also of the opinion that the cultivation of hemp and tobacco should be encouraged for a term of years.

An act was passed last session offering a bounty of five cents per pound upon all the good merchantable sugar made from sorghum raised in this territory during the years 1861 and 1862. We recommend that this provision be extended at least one year; but unless some provision is made by which moneys thus promised can be obtained when earned, the offer of a bounty is sheer nonsense. To offer a bounty to be drawn from a county treasurer "out of any moneys in his hands, not otherwise appropriated," as the financial matters of counties, and the territory itself, are now conducted, is simply a legislative farce. The office of county commissioners must cease providing their present annual crop of county warrants, or the most bountiful harvest that can be produced from any soil will fail to save us from financial ruin. It is bad enough to create county warrants until they are comparatively worthless, but to offer them as a compensation to any enterprising farmer as an inducement to invest time, labor and cash, is almost beyond the limits of even a practical joke, unless the present rapid increase of warrants is supposed to be capable of transferring their productive qualities to the soil.

The want of timber in the territory is admitted by all. While many portions are sufficiently timbered, other portions are so destitute as to render it imperative that forest trees should be grown as a farm product, yet we believe it capable of demonstration, that a want of wood land is a less evil than a want of cleared land—that a farm or a rigion of country in any place entirely destitute of wood can be supplied with less labor and expense than the same region could be cleared if all wooded. The labor and expense of providing timber lands to every farmer in Nebraska, we believe to be less, if commenced now, and encouraged by suitable legislation, than has been found necessary to clear up the lands of any of the older states. An act was passed last session providing that a valuation of fifty dollars from taxation upon real estate situated in one tract where there shall be, in a good state of cultivation, not less than one acre of land on which there shall be not less than one hundred fruit or ornamental trees, or four hundred forest trees. Forest trees being used as ornamental, the latter condition is a distinction without a difference; any lands thus increased in value, shall not be liable to increased valuation for revenue purposes. This is decidly more to the purpose than county warrants, and we recommend that the act be published as extensively as possible, that farmers at home and abroad may know of it. We would also recommend that, in addition, any premium paid in cash by any county or territorial board of agriculture for encouraging the growth of trees, not less than twenty acres of from one, two, three and four years' growth, be doubled by giving a like sum from the county or territorial treasury. Your committee have mentioned timber as a suitable production for the largest possible amount of encouragement, because they believe its growth vital to the interests of the territory, and that a few forests in progress of growth will satisfy any inquiring immigrant, that our soil will produce timber sufficient for use and profit. In this connection your committee recommend the passage of some law restraining stock from running at large, if not in the whole territory, in those parts where there is a scarcity of timber, believing that the expense necessary to enclose the cultivated lands would exceed by four times the amount necessary to fence the stock; and furthermore, to herd the stock would cost still less.

We have named wool, sugar cane, hemp, tobacco, grapes, because we believe our soil fitted for them to a degree that will render their cultivation profitable as a staple production for large export; other articles might undoubtedly be included, but would, perhaps, with more propriety receive attention at the hands of agricultural societies. In conclusion, your committee cannot urge too strongly the organization of agricultural societies, not only in counties, but until the counties are more thickly settled, in precincts. Social meetings could be held with sufficient frequency in every precinct to create and continue a spirit of enterprise and interest in this matter, so that a county society would soon be organized in every settled county, and those now formed would work with renewed vigor. An agricultural society may not be indispensably necessary to good farming; but all over the United States, wherever we find a county well settled with good farmers and men of active enterprise, we also find thriving agricultural societies. If, therefore, they are not a necessity, they are good evidence of prosperity and success; we would, therefore, urge upon every settled precinct, and at least every county, the formation of a society that, however small at first, should operate regularly and maintain a lively existence until the population and products shall render it an honor to its founders. A little labor and attention now will do much to accelerate the territory in its onward march to population, wealth and influence.

All of which is respectfully submitted.

JOEL T. GRIFFIN, Chairman,
Committee on Agriculture.

On motion of Mr. Davis of Douglas, five hundred copies of the report were ordered printed for the use of the house.

Mr. Leaming of Burt submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 88, A bill for an act to authorize a special election in Cuming county, to provide for the records of said county, and for other purposes, have, according to order, had the same under consideration, and have directed me to report the same without any amendments, and recommend its passage.

S. T. LEAMING, }
W. BUCHANAN, } Special Committee.
ENOS BEALL, }

Mr. Leaming of Burt, on leave, introduced house file No. 89. A bill for an act to define the boundaries of Holt county.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on county boundaries and county seats.

Mr. McLaughlin of Dakota, introduced house file No. 90. A bill for an act to authorize John B. Brigler to keep a ferry across the Missouri river at Dakota.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on corporations.

Mr. Reck of Platte, introduced house file No. 91. A bill for an act to establish a ferry across the north fork of the Platte river.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on corporations.

Mr. Chapin of Cass, introduced house file No. 92. A bill to provide for the liquidation of county taxes in certain contingencies.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on ways and means.

Council bill No. 37. A bill for an act to repeal a part of section one hundred and forty-eight of the criminal code, was taken up.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Council bill No. 7. A bill for an act to repeal sub-division "B," of the criminal code, and for other purposes, was taken up.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on ways and means.

House file No. 49. A bill for an act to annex parts of Polk and Platte counties, was taken up, and ordered engrossed for a third reading to-morrow.

House file No. 31. A bill for an act to attach the counties of Platte, Hall, Buffalo and Kearney, to Otoe, Cass and Dodge, for election purposes, was taken up.

On motion, recommitted to a special committee of three, consisting of Messrs. Reck, McLaughlin and Chapin.

House file No. 18. A bill for an act to amend an act entitled an act to allow the funding of the indebtedness of the territory, was taken up.

On motion of Mr. Croxton of Otoe, recommitted to joint committee on finance.

House file No. 2. A bill for an act to amend the revenue law, was taken up.

On motion of Mr. Croxton recommitted to joint committee on finance.

House file No. 74. A bill for an act to suspend the levy and collection of the road tax for the year 1862, was taken up.

Mr. Reck of Platte, moved that the bill be indefinitely postponed.

Ayes and nays demanded.

Ayes—Messrs. Allgewahr, Barnard, Crow, Hagaman, O'Conner, McLaughlin, Rowles, and Seymour—10.

Nays—Messrs. Barnum, Beall, Birchfield, Blakely, Buchanan, Butler, Cahn, Chapin, Chalfant, Closser, Clark of Douglas, Crothers, Croxton, Davis, Eikenberry, Ewing, Griffin, Holladay, Larsh, Leaming, Porter, Reynolds, Reed, and Wiles—24.

Lost.

Mr. Leaming of Burt, moved to postpone the further consideration of the bill until Friday next, at 10 o'clock A. M.

Carried.

House file No. 82. A bill for an act to exempt from taxation the property of persons who have entered the service of the United States, was taken up.

Mr. Barnard of Dodge, moved to amend by inserting after the word states, "or who shall enlist within one year after the passage of this act."
Ayes and nays demanded.
Ayes—Messrs. Allgawahr, Barnum, Barnard, Birchfield, Beall, Blakely, Bowen, Buchanan, Butler, Cahn, Chapin, Chalfant, Closser, Clark of Douglas, Crothers, Crow, Croxton, Davis, Eikenberry, Ewing, Griffin, Hagaman, Holladay, Larsh, O'Conner, Porter, Reck, Reynolds, Reed, Rowles, Seymour and Wiles—31.
Nays—Messrs. Leaming and McLaughlin—2.
Amendment adopted.

Mr. Croxton of Otoe, moved to amend by inserting after the word chaplains, "citizens of the territory."
Carried.

Mr. Griffin of Douglas, moved to amend by striking out the word "officers," in line two of section one.
Lost.

Mr. Davis of Douglas, moved to amend by inserting in line five, section one, the words, "not exceeding in value one thousand dollars."
Carried.

Mr. Larsh of Otoe, moved to amend by striking out "five," in line six, section one, and inserting "three."
Lost.

On motion, ordered engrossed for a third reading to-morrow.

House at 12 o'clock adjourned.

GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Thursday, December 19, 1861.

House met pursuant to adjournment.
Speaker in the chair.
Prayer by the chaplain.
Roll called.
Absent—Messrs. Seymour and McLaughlin.
Journal read and approved.

Mr. Allen of Washington, presented the remonstrance of J. S. Stewart, and twenty-nine others, against a herd law, in Cuming City precinct.

Bill read and referred to committee on agriculture.

The following notices of bills were given:

By Mr. Barnard of Dodge, of A bill for an act to amend the estray law.

Also, To repeal a portion of section one, chapter five of an act entitled an act providing for the settlement of the estates of decedents, and for other purposes, approved January 11, 1861.

By Mr. Blakely of Gage, of A bill for an act to legalize the assessment of taxes in Clay county, for the year 1861.

By Mr. Chapin of Cass, of A bill for an act to remit the interest on back taxes.

By Mr. Croxton of Otoe, a bill to vacate a part of the town site of Nebraska City.

Mr. Clark of Douglas, offered the following resolution:

Resolved, That the committee on banks, be, and they are hereby instructed to inquire into the manner of conducting banking business, or more properly termed banks of issue, at the present time, under the various charters granted by the legislative assembly of this territory; and that they be required to report within six days.

Resolved, That in every instance, when to the satisfaction of said committee, banking corporations have not complied with the provisions of their several charters, and have ceased to exist, or existing, and issuing bills payable without any security to bill-holders, and in violation of law, then the said committee are instructed to report by bill for a repeal of all such charters.

Laid over under the rule.

Mr. Allen of Washington, submitted the following report:

Mr. Speaker:

The committee on judiciary, to whom was referred house file No. 80, A bill for an act entitled an act to confirm the elective franchise to citizens residing temporarily on Indian reservations.

Also, house file No. 69. An act to legalize the organization of Pawnee county.

Also, house file No. 61. A bill for an act to vacate certain streets and alleys in the town of Peru.

Also, house file No. 72. A bill for an act to regulate the laying out of towns and villages.

Also, council bill No. 32. A bill reported by judiciary committee as substitute, having had the same under consideration, beg leave to report the same back to the house, and recommend their passage.

Also, council bill, No. 24. A bill for an act to provide for the service of process in suits against counties, which is here reported back with the amendments thereto attached, and its passage recommended.

Your committee have also had under consideration:

House file No. 65. A bill for an act to provide for a redemption of property sold under execution, and report the same back to the house without recommendation.

Also, house file No. 73. A bill for an act to stay all proceedings in civil [suits] for the collection of debts, for a period of two years, which is now reported back with a recommendation that it do not pass.

Also, house file No. 75. A bill for an act to amend the revenue law, and to provide for the payment of the current expenses of the territory; and report it back to the house with a recommendation that the same be referred to the committee on finance.

E. A. ALLEN, Chairman.

Mr. Holladay submitted the following report:

Mr. Speaker:

The committee on engrossed and enrolled bills, beg leave to report house file No. 49, An act to attach part of Polk county to that of Platte, as correctly enrolled.

A. S. HOLLADAY, Chairman.

Mr. Seymour of Douglas, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred council bill No. 35. Memorial and joint resolution asking the postmaster general to make a distributing office west of the Missouri river, report the same back without amendment, and recommend its passage.

J. H. SEYMOUR, Chairman.

Mr. Bowen of Washington, introduced house file No. 93. A bill for an act to restrain cattle, sheep, horses, and swine from running at large in Cuming City precinct, Washington county, Nebraska Territory.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on agriculture.

Mr. Clark of Douglas, on leave, introduced house file No. 94. A bill for an act to reorganize the county of Buffalo, and provide for the appointment of county commissioners.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on county boundaries and county seats.

Mr. Reck of Platte, introduced house file No. 95. A bill for an act to legalize the location of a county road in Platte county.

Read first time.

Rules suspended. Bill read second and third times.

Bill passed and title agreed to.

Also, house file No. 96. A bill for an act entitled an act to amend an act to license and regulate the sale of malt, spiritous, and vinous liquors, approved June 11, 1861.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

House file No. 27. A bill for an act fixing the time for county and precinct officers to qualify, and giving power to demand additional security, was taken up.

Mr. Barnard of Dodge, moved to amend by striking out "five" and inserting "ten," in line second.

Carried.

Mr. Allen of Washington, moved to amend by inserting after the word elect, "except supervisors of districts."

Carried.

On motion, ordered to be engrossd for third reading to-morrow.

House file No. 17. A bill for an act to further define the duties of county treasurer, was taken up.

On motion of Mr. Croxton of Otoe, referred to joint committee on finance.

House file No. 63. A bill for an act to provide for the assessment

of the real and personal property and collection of taxes, in Jones county, was taken up.
Read third time.
Bill passed and title agreed to.

House file No. 75. A bill for an act to amend the revenue law, and to provide for the payment of the current expenses of the territory, was taken up.

On motion, referred to joint committee on finance.

Council bill No. 6. A bill for an act to repeal land tax of three dollars on each quarter section, was taken up.

On motion, made the special order for Friday next, at 10 o'clock, A. M.

Council bill No. 30. A bill for an act to amend an act to establish the rate of interest on money, and on contracts, was taken up.
Read third time.
Question occurring on the passage of the bill, the ayes and nays were demanded, with the following result:
Ayes—Messrs. Allgawahr, Allen, Birchfield, Buchanan, Butler, Chapin, Chalfant, Closser, Crow, Croxton, Ewing, Griffin, Hagaman, Holladay, Porter, Reynolds, and Reed—17.
Nays—Barnum, Barnard, Bates, Beall, Blakely, Bowen, Cahn, Clark of Douglas, Crothers, Davis, Eikenberry, Larsh, Leaming, McLaughlin, O'Conner, Reck, Rowles, Wattles, and Wiles—19.
Lost.

Mr. Barnum of Cass, moved that the vote on house file No. 82, taken yesterday, ordering the bill engrossed, be reconsidered.
Carried.

Mr. Allen of Washington, moved to amend by striking out " officers," after the word " all."

Mr. McLaughlin of Dakota, moved to amend the amendment by striking out "non-commissioned officers and chaplains."
Lost.
The question recurring on the original motion, the ayes and nays were demanded, with the following result:
Ayes—Messrs. Allgawahr, Allen, Barnum, Barnard, Blakely, Bowen, Buchanan, Butler, Cahn, Chalfant, Closser, Clark of Douglas, Crow, Croxton, Davis, Eikenberry, Griffin, Hagaman, Holladay, Larsh, Leaming, McLaughlin, O'Conner, Reck, Rowles, and Wattles—27.

Nays—Messrs. Bates, Birchfield, Chapin, Crothers, Ewing, Porter, Reynolds, Reed, and Wiles—9.
Carried.

Mr. Wiles of Cass, moved to strike out the words "and chaplains."
On which the ayes and nays were demanded, as follows:
Ayes—Messrs. Allgawahr, Blakely, Davis, Griffin, Holladay, Larsh, Leaming, McLaughlin, Reck, Rowles, Wattles and Wiles, —12.
Nays—Messrs. Allen, Barnum, Barnard, Bates, Birchfield, Bowen, Buchanan, Butler, Cahn, Chapin, Chalfant. Closser, Clark of Douglas, Crothers, Crow, Croxton, Eikenberry, Ewing, Hagaman, O'Conner, Porter, Reynolds, Reed, and Seymour—23.
Lost.

Mr. Butler of Pawnee, moved to amend by striking out all after U. S in third line, to the word shall, in fourth line.
Lost.

Mr. Davis of Douglas, moved to strike out, in the fifth line, the words, "three years," and insert "actual residents."
Lost.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
December 19, 1861.

Mr. Speaker:

I am instructed to inform your honorable body, that the council have passed council bill No. 42. A bill supplementary to an act for the appointment of masters in chancery.
The concurrence of the house is respectfully requested.
ROBT. W. FURNAS, Chief Clerk.

On motion, ordered to be engrossed for a third reading to-morrow.

Mr. Bowen of Washington, moved that the rule to adjourn at 12½ o'clock, be suspended.
Carried.

House file No. 24. A bill for an act to legalize the tax levy of 1861, and the sale of property for 1860 in Douglas county, Nebraska Territory, was taken up.
Read third time. Bill passed, and title agreed to.

House file No. 19. A bill for an act regulating the herding of cattle in Dodge county, was taken up.
Read third time. Bill passed, and title agreed to.

House file No. 33. A bill for an act for the relief of Francis G. Beecher, was taken up.
Read third time. Bill passed, and title agreed to.

House file No. 49. A bill for an act to attach part of Polk county to Platte, was taken up.
Read third time. Bill passed, and title agreed to.

House file No. 64. A bill for an act to authorize Avery Carter to keep a ferry across the Missouri river, at Peru, Nemaha county, was taken up.
Read third time. Bill passed, and title agreed to.

House file No. 67. A bill for an act to encourage the cultivation of grapes, was taken up.
Read third time. Bill passed, and title agreed to.

House file No. 71. A bill for an act to locate a territorial road from Fort Calhoun, Washington county, to Elkhorn City, Douglas county, was taken up.

On motion, recommitted to committee on roads.

Mr. McLaughlin of Dakota, asked that Mr. Bowen be excused from serving on select committee as appointed.
Leave granted.

Mr. Allen of Washington, appointed in his place on such committee.

On motion, the house at 12½ o'clock, adjourned.

GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Friday, December 20, 1861.

House met pursuant to adjournment.
Speaker in the chair.
Prayer by the chaplain.
Roll called.
Absent—Messrs. Clark of Douglas, Seymour and McLaughlin.
Journal read and approved.

Mr. Chalfant of Cass, presented the petition of J. B. Moore and others, asking the repeal of the law prohibiting sheep and swine from running at large in certain portions of Cass county.

Also, petition of John Bringham and others, for same purpose.

Read and referred to committee on agriculture.

Mr. Allen of Washington, presented petition of George Bartlett, praying for a divorce.

Read and referred to committee on judiciary.

The following notices of bills were given:

By Mr. Allen of Washington, of a bill for an act to dissolve the bands of matrimony between George Bartlett and Jerusha Bartlett.

Also, of a bill for an act authorizing H. J. Robison to keep a mill dam across Logan Creek, in Washington county, Nebraska Territory.

By Mr. Allgawahr of Richardson, of a bill for an act to incorporate the Arago Musical and Library Society.

Mr. Larsh of Otoe, moved to reconsider the vote taken on house file No. 30. A bill for an act to establish the rate of interest on money, and on contracts.

Mr. Barnard of Dodge, moved to lay the motion on the table.

Lost.

Original motion lost.

Mr. Allgawahr of Richardson, moved that two thousand copies more of the report of the committee to whom was referred so much of the governor's message as relates to agriculture, be printed.

Carried.

Resolution in reference to banks and banking, was taken up.

On motion, adopted.

Mr. Allen of Washington, submitted the following report:

Mr. Speaker:

The committee on judiciary, to whom was referred council bill No. 22. A bill for an act in relation to the time of commencing civil actions.

Also, council bill No. 11. A bill for an act to amend sections eighty-three and one hundred of the code of civil procedure.

Also, council bill No. 23. A bill for an act to amend section one, chapter nine, of an act providing for the settlement of the estate of decedents, and for other purposes, approved January 11, 1861.

Also, house file No. 56. A bill for an act relating to the sale of property of persons in rebellion against the government of the United States, and for other purposes, beg leave to recommend their passage without amendment.

Your committee to whom was referred house file No. 59. A bill for an act to repeal section forty of the revenue law, would recommend that the same be referred to the joint committee on finance.

Also house file No. 37. A bill for an act to attach certain unorganized portions of Nebraska to the first judicial district, having had the same under consideration, beg leave to report back to the house the accompanying substitute, and recommend its passage.

E. A. ALLEN, Chairman.

Mr. Holladay of Nemaha, submitted the following report:

Mr. Speaker:

The committee on engrossed and enrolled bills report the following bills as correctly engrossed:

House file No. 82. A bill for an act to exempt certain property of soldiers, who have entered the service of the United States of America.

House file No. 27. A bill for an act fixing the time for certain officers to qualify and giving power to demand additional security.

A. S. HOLLADAY, Chairman.

Mr. Hagaman, chairman of committee on roads, submitted the following report:

Mr. Speaker:

Your committee, to whom was recommitted house file No. 71. A bill for an act to locate a territorial road from Fort Calhoun, in Washington county, to the north part of Kelly's precinct, in Douglas county, have had the same under consideration, and recommend its passage with the following amendments:

Strike out section three, and insert, "Within three months after the survey of said road, the commissioners shall file a copy of their proceedings and survey, duly certified to by the surveyor, with the clerks of each county, through which the same may pass, when the said survey is so filed, the road shall be permanently located.

Strike out section five, and insert: "All the expenses of said road, together with the recording of the same shall be paid out of the road fund of the district, or districts, through which the same may pass, in proportion to the length of road in each district, by order of the county commissioners."

Mr. Davis of Douglas, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 86. A bill for an act to define the boundaries of Stanton county, beg leave to report back a substitute defining the boundaries of Burt and Cuming, as well as the boundaries of Stanton, and recommend its passage.
O. F. DAVIS, Chairman.

Mr. Clark of Douglas, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 68, A bill to amend an act entitled an act to authorize the sale of the cast iron of the Territory of Nebraska, beg leave to report the same back for the consideration of the house, and ask to be discharged.

M. H. CLARK, Chairman.
N. B. LARSH,
A. S. HOLLADAY.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
December 20, 1861.

Mr. Speaker:

I herewith return to your honorable body house file No. 30. A bill to locate a territorial road in Platte county.

House file No. 12. A bill to locate a territorial road from St. John's to Ionia.

House file No. 57. A bill to locate a territorial road in Platte and Butler counties.

House file No. 11. A bill to restrain sheep and swine from running at large, in Burt county.

House file No. 36. A bill to locate the county seat of Hall county.

House file No. 55. A memorial and joint resolution.

House file No. 5. A bill to locate a territorial road from Ponca City to Niobrara.

House file No. 10. A bill to establish a ferry at Decatur.

House file No. 47. A joint resolution relative to the appointment of a committee to estimate the expenses of completing the two chambers designed for the legislative assembly, the same having passed the council without amendment.

I am also instructed to inform you that the council has appointed

Messrs. Sapp and Unthank a committee on the part of the council, as provided for in house file No. 47.

I am further instructed to return you house file No. 41. A bill to amend an act incorporating Dakota City, and house file No. 33. A bill to create an election district for the counties of Hall, Buffalo, and Kearney, with certain amendments attached thereto, the same having passed the council as thus amended, in which your concurrence is respectfully requested.

ROBT. W. FURNAS, Chief Clerk.

House file No. 33. A bill for an act to create an election district out of the counties of Hall, Buffalo, and Lincoln, was taken up.

On motion, the house concurred in the amendment made by the council.

House file No. 41. A bill for an act to amend the charter of Dakota City, was taken up.

On motion, the house concurred in amendments proposed by the council.

Mr. Allen of Washington, introduced house file No. 97. A bill for an act authorizing and requiring the treasurer of Washington county to refund, to certain persons, amount of a special tax levied for year 1861.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on schools.

Mr. Leaming of Burt, on leave, introduced house file No. 98. A bill for an act to amend an act entitled an act to establish a ferry across the Missouri river, in Burt county.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on corporations.

Mr. Barnard of Dodge, introduced house file No. 99. A bill for an act to repeal a portion of section one (1) chapter five (5) of an act providing for the settlement of estates of decedents, approved January 11, 1861.

Mr. Allgawahr of Richardson, introduced house file No. 100. A memorial and joint resolution relative to school lands on the Half-Breed reservation, in Richardson and Nemaha counties.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on schools.

Mr. Reck of Platte, introduced house file No. 101. A bill for an act to amend an act to locate a territorial road from Decatur, in Burt county, to Columbus, in Platte county.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on roads.

Mr. Allen of Washington, on leave, introduced house file No. 102. A bill for an act to authorize Ann A. White and Hiram White to erect a mill-dam across New York creek, Washington county.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on internal improvements.

Also, house file No. 103. A bill for an act to authorize William F. Bailey to erect a mill-dam across Noheart creek, Washington county.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on corporations.

Council bill No. 42. A bill supplementary to an act relating to the appointment of masters in chancery, was taken up.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

House file No. 88. A bill for an act authorizing a special election in Cuming county, and to provide for the completion of the county records, and for other purposes, was taken up.

Read third time.

Bill passed and title agreed to.

House file No. 61.

On motion, made the special order for Friday next.

House file No. 65. A bill for an act to provide for the redemption of property sold under execution, was taken up.

On motion of Mr. Allen of Washington, the further consideration of the bill was postponed until Tuesday next.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
December 20, 1861.

Mr. Speaker:

I am instructed to inform your honorable body that the council has passed council bill No. 38. A bill for an act to repeal an act to locate a territorial road from Nebraska City to Brownsville, and the concurrence of the house is respectfully requested.

I am also instructed to return you house file No. 6. A bill for an act to authorize H. W. Summerlad and George Walther, to keep a ferry across the Missouri river, at Arago, the same having passed the council with certain amendments attached thereto, in which the concurrence of the house is requested.

ROBT. W. FURNAS, Chief Clerk.

House file No. 69. A bill for an act to legalize the organization of Pawnee county, was taken up.

Ordered engrossed for third reading to-morrow.

House file No. 71. A bill for an act to locate a territorial road from Fort Calhoun, Washington county, to Kelly's precinct, Douglas county, was taken up.

Amendment of committee concurred in, and ordered engrossed for third reading to-morrow.

House file No. 73. A bill for an act to stay all proceedings in civil cases for the collection of debts for a period of two years, was taken up.

On motion of Mr. Griffin the bill was indefinitely postponed.

House file No. 83. A bill for an act to establish a territorial road from Fort Calhoun, Washington county, to Elkhorn City, Douglas county, and change portion of the military road between Omaha and Fontenelle, was taken up.

Amendments of committee concurred in, and ordered engrossed for third reading to-morrow.

House file No. 87. A bill for an act to provide for an estray law was taken up.

On motion of Mr. Seymour, made a special order for Friday next.

Council bill No. 24. A bill for an act to provide for process, and suits against counties, was taken up.

Amendment of committee to section one.

Lost.

On motion of Mr. Allen of Washington, the bill was recommitted to a special committee of three, consisting of Messrs. Allen, Ewing and O'Conner.

Mr. Allen, on leave, presented affidavit of S. M. Kline, relative to a herd law in Washington county.
Read and referred to committee on agriculture.

House file No. 60. (Substitute) A bill for an act regulating the leasing of school lands of the Territory of Nebraska was taken up.
On motion, laid on the table.

House file No. 26. A joint memorial and resolution relative to adjournment was taken up.

Mr. Allgawahr of Richardson, moved an indefinite postponment.

Mr. Seymour moved to amend the amendment, to postpone until Monday, December 23, 1861.
Carried.

Council bill No. 6. A bill for an act to repeal land tax of three dollars on each quarter section was taken up.

Mr. Reck of Platte, moved its indefinite postponement.
Lost.

Mr. Seymour of Douglas, moved the bill be postponed until January 3, 1862.
Carried.

On motion of Mr. Allen of Washington, house file No. 74 was similarly disposed of.

House file No. 27. A bill for an act fixing the time for officers to qualify, and giving power to demand additional security was taken up.
Read third time.
Bill passed and title agreed to.

House file No. 82. A bill for an act to exempt certain property of soldiers who have entered the service of the United States of America, was taken up.
Read third time.
The question being on its passage, the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allgawahr, Allen, Barnum, Barnard, Beall, Blakely, Bowen, Buchanan, Butler, Cahn, Chapin, Chalfant, Closser, Clark of Douglas, Crothers, Crow, Croxton, Eikenberry, Ewing, Griffin, Hagaman, Holladay, Larsh, O'Conner, Porter, Reck, Reynolds, Reed, Rowles, Seymour, Wattles and Wiles—32.

Nays—Messrs. Bates, Birchfield, Davis, Leaming and McLaughlin—5.

Bill passed and title agreed to.

Council bill No. 38. A bill for an act to amend an act to locate a territorial road from Nebraska City to Brownsville, was taken up.

Read first time.

Rules suspended. Bill read second time.

Mr. Holladay of Nemaha, moved the bill be referred to the committe on roads.

Lost.

Mr. Closser of Otoe, moved that the rule be suspended and bill read third time, pending which, the hour of 12½ o'clock having arrived the house adjourned.

GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Saturday, Dec. 21, 1861.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Rev. Mr. Shinn.

Roll called.

Absent—Messrs. Butler, McLaughlin, and Clark of Douglas.

Journal read and approved.

The following notices of bills were given.

By Mr. Hagaman of L'Eau qui Court, of A bill for an act to vacate the alleys in block ten (10) in the town of Ponca, Dixon county.

By Mr. Closser of Otoe, of A bill for an act to amend section three (3) of an act to amend an act to consolidate the corporations of Nebraska City, South Nebraska City, and Kearney City, and to incorporate Nebraska City; approved Dec. 31, 1857.

By Mr. Reynolds of Otoe, of A memorial, asking for an appropriation to construct a military road from Nebraska City to New Fort Kearney.

Mr. Seymour of Douglas, submitted the following report:

Mr. Speaker:

The committee on federal relations, to whom was referred house file No. 54, Joint memorial and resolution relative to the exemption of the Territory of Nebraska from the federal direct tax imposed by the first session of the thirty-seventh congress, report that they have had the same under consideration, and have come to the following conclusion. By an examination of the authorities, your committee do not doubt that congress has it in its power to remit the tax, and consequently the question of its remission resolves itself into one of ability, policy, legality and patriotism. As to the ability of the people of the territory, it must be admitted that we are not well prepared to pay heavy taxes, either to the general government or to the territory. And yet your committee is loth to admit that our people are so poor as to be unable to pay the same. Hardly a settler of the territory but will find means to provide himself with some coveted luxury during the year, to the amount of more than the federal tax. And your committee respectfully submit whether the citizens of the territory will not rather abandon some of their usual luxuries, or rather whether the loyal people of the territory will not consider the preservation of the Union the greatest of luxuries for which they would prefer to spend their money, or whether some other tax may not be dispensed with, that we may more easily meet this. In regard to the policy of the request, your committee respectfully submit whether the avowal of our poverty in so public a manner will not damage us to a greater extent than the payment of a small tax. Your committee are of the opinion that such an avowal, made in the halls of congress and read throughout the nation, would seriously tend to direct emigration from Nebraska to some territory where no such formidable evidence of poverty, not to say of disloyalty, was produced.

Your committee further suggest that the amount of money actually to be taken from the territory by the paying of the tax will be inconsiderable, as it may safely be concluded that one-half of the tax will be paid by non-residents, and that one-half of the balance will remain in the territory as the cost of collection.

Your committee would further represent that in their opinion such a course is devoid of loyalty and patriotism. It is claimed by the memorial that our people are generally loyal, a position which your committee heartily endorse; but they submit that our loyalty would be much more apparent to the nation, by a cheerful compliance with the demands of the government for our proportion of the means necessary for its preservation from its enemies, than by simple protestation of loyalty.

Your committee further submit that, in addition to a suspicion that our loyality is not well grounded attaches to the request to be exempt from furnishing material aid, there is also a strong admixture of ingratitude and want of patriotism. The general government has ever, with the kindness of a parent, protected, nourished and provided for her minor children, the territories, until they reached their majority, and became equal in the great family of states. And Nebraska has been no exception to her generosity; ever since its organization the money of the general government has been freely expended for our benefit. She has spent fifty thousand dollars on our capitol, has paid the expense of the executive, judiciary and legislative departments of our government, amounting to some fifty thousand dollars per annum. And notwithstanding she is now engaged in suppressing a causeless rebellion of fearful magnitude, which threatened her very existence as a nation, still the same care is extended, and the money is promptly placed at our disposal as usual, for our annual expense. Nor is this all. Thousands of dollars have been expended in constructing the great military road north-west, thousands more for the purchase of our lands from the Indian tribes; and in keeping them peacable on our border, her soldiers are sent in the verge of winter to our extreme northern frontier to protect us. And your committee insist that in the face of all this care and protection from the parent government, to ask to be relieved from paying a petty tax for the support of such a government, will subject us to a charge of base ingratitude and want of patriotism, which the people of the territory do not wish to deserve. They therefore recommend the passage of the following resolution:

Resolved, That house file No. 54 be indefinitely postponed.

JAS. H. SEYMOUR, Chairman.

Mr. Allen of Washington, submitted the following report:

Mr. Speaker:

The committee on judiciary, to whom was referred council bill No. 42, A bill supplementary to an act for the appointment of masters in chancery, having had the same under consideration, respectfully report the same back to the house, with a recommendation that it be indefinitely postponed.

E. A. ALLEN.

Mr. Speaker:

The committee on judiciary, to whom was referred house file No. 78. A bill for an act requiring probate judges to keep their offices at the county seats of their respective counties.

Also, house file No. 38. A bill for an act providing that sheriffs must keep their offices at the county seats of their respective counties, having had the same under consideration, beg leave to report them back to the house, and recommend the passage of the accompanying bill as a substitute.

E. A. ALLEN, Chairman.

House file No. 6. A bill for an act to authorize Avery Carter to keep a ferry across the Missouri river at Arago, Richardson county, Nebraska Territory, was taken up, and amendments of council concurred in.

Mr. Larsh of Otoe, introduced house file No. 104. A bill for an act to amend section fourteen of an act relating to sheriff's fees.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Mr. Leaming of Burt, on leave, introduced house file No. 105. A bill for an act to change the name of Calhoun county to Saunders county.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on county boundaries.

Mr. Blakely of Gage, introduced house file No. 106. A bill for an act to legalize the assessment of taxes for the year 1861, in Clay county.

Read first time

Rules suspended. Bill read second time by its title, and referred to committee on accounts and expenditures.

Mr. Butler of Pawnee, introduced house file No. 107. A bill for an act fixing the toll for grinding.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on agriculture.

Mr. Allen of Washington, introduced house file No. 108. A bill for an act to authorize H. J. Robison to keep a mill dam across Logan creek, Washington county.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on corporations.

Also, house file No. 109. A bill for an act to amend an act to authorize E. B. Stout to keep a ferry across the Missouri river at Desoto, passed at the first session of the legislature of Nebraska;

and also, An act entitled an act to authorize Wm. Chancey and P. C. Sullivan to keep and run a ferry across the Missouri river at Desoto, Washington county.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on corporations.

Also, house file No. 110. A bill for an act to dissolve the bonds of matrimony between Geo. Bartlett and Jerusha Bartlett.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Mr. Clark of Douglas, submitted the following report:

Mr. Speaker:

Your committee to whom was referred house file No. 100,

Also, house file No. 97, beg leave to report the same back, and recommend their passage.

W. H. CLARK, Chairman.

House file No. 59. A bill for an act to repeal section forty of the revenue law, was taken up.

On motion, referred to joint committee on finance.

House file No. 72. A bill for an act to provide for the laying out of towns and villages, was taken up.

On motion, ordered engrossed for third reading to-morrow.

Council bill No. 22. A bill for an act in relation to the time of commencing criminal action, was taken up.

Read third time.

Bill passed and title agreed to.

House file No. 80. A bill for an act to confirm the election franchise on citizens residing temporary on Indian reservations, was taken up.

On motion of Mr. Croxton of Otoe, made the special order for Tuesday, December 31.

Council bill No. 35. Memorial and joint resolution, relative to a distributing post office west of the Missouri river, was taken up.

Read third time.

Bill passed and title agreed to.

Council bill No. 28. A bill for an act to encourage the growth of sheep, was taken up.

Mr. Seymour of Douglas, moved the bill be laid on the table.
Lost.
Amendment of committee.
Lost.

Mr. Griffin of Douglas, moved to strike out "five hundred" and insert "two hundred and fifty."

Lost.

Read third time.

Question being on its passage, the ayes and nays were demanded, which resulted as follows:

Ayes—Messrs. Allgawahr, Allen, Barnum, Barnard, Bates, Beall, Birchfield, Blakely, Bowen, Buchanan, Butler, Cahn, Chapin, Chalfant, Closser, Clark of Douglas, Crothers, Crow, Croxton, Davis, Eikenberry, Ewing, Hagaman, Holladay, Larsh, McLaughlin, O'Conner, Porter, Reck, Reynolds, Reed, Rowles, Wattles and Wiles—34.

Nays—Messrs. Griffin and Leaming—2.

Bill passed and title agreed to.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
December 21, 1861.

Mr. Speaker:

I am instructed to return to your honorable body house file No. 63. A bill to provide for the assessment of real estate and personal property, and for the collection of taxes in the county of Jones.

Also, house file No. 24. A bill to legalize the tax levy of 1861, and the sale of property for the unpaid taxes of 1860, for Douglas county, the same having passed the council, without amendment.

I am also instructed to inform your honorable body that the council has passed council bill No. 40. Memorial and joint resolution relative to stationing two companies of soldiers in southern Nebraska.

Also, council bill No. 36. A bill to provide for the erection of mills and mill dams. And the concurrence of the house is respectfully requested.

ROBT. W. FURNAS, Chief Clerk.

On motion of Mr. Bowen of Washington, leave of absence was granted Mr. Butler for one week, from Monday.

Council bill No. 42. A bill supplementary to an act for the appointment of masters in chancery, was taken up.

Mr. Allen of Washington, moved that the bill be indefinitely postponed.

Carried.

On motion, leave of absence was granted Mr. Croxton for one week from next Monday, also, Messrs. Holladay and Reed for the same time.

Council bill No. 23. A bill for an act to amend an act for the settlement of the estates of decedents, and for other purposes, approved January 11, 1861, was taken up.

Read third time.

Bill passed and title agreed to.

Council bill No. 32. Substitute, for an act to amend certain sections of the code of civil procedure, was taken up.

Read third time.

Bill passed and title agreed to

Council bill No. 38. A bill for an act to repeal an act locating a territorial road from Nebraska City to Brownsville, was taken up.

Read third time.

Bill passed and title agreed to.

Council bill No. 6. A bill for an act to provide for the erection of mills and mill dams, and for other purposes, was taken up.

Read first time.

Bill passed and title agreed to.

Council bill No. 40. A memorial and joint resolution asking Congress to station two companies of troops in the south-eastern portion of the territory, was taken up.

Read first time.

Rules suspended. Bill read second and third time by its title.

Bill passed and title agreed to.

On motion, the rule requiring the house to adjourn at 12½ o'clock was suspended.

On motion of Mr. Seymour of Douglas, leave of absence was granted Mr. Croxton until Friday next.

On motion, the house at 12½ o'clock adjourned.

GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Monday, December 23, 1861.

House met pursuant to adjournment.
Speaker in the chair.
Prayer by the chaplain.
Roll called.
Absent—Messrs. Birchfield, Buchanan, Butler, Clarke of Sarpy, Crothers, Crow, Larsh, McLaughlin, Reynolds, Reed, Seymour, Wattles and Wiles.
Journal read and approved.

Leave of absence was granted the following named members until Friday next: Messrs. Buchanan, Birchfield, Larsh, Reynolds, Wiles and Closser.

Mr. Chapin of Cass, moved that when the house adjourn, it will be until Thursday, at 2 o'clock, P. M.

Mr. Allen of Washington, moved to amend, that when the house adjourn on Tuesday, it will be until Thursday, at 2 o'clock P. M.
Lost.

Question recurring on the original motion it was
Carried.

Mr. Hagaman of L' Eau qui Court, introduced house file No. 111. A bill for an act to vacate block ten, in Ponca City, Nebraska Territory.
Read first time.
Rules suspended. Bill read second time by its title and referred to committee on corporations.

Mr. Allen of Washington, introduced house file No. 112. A bill for an act requiring special constables to give bonds.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Mr. Chalfant of Cass, introduced house file No. 113. A bill for an act to repeal an act to restrain sheep and swine from running at large in Cass county.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on agriculture.

Mr. Allen of Washington, submitted the following report:

Mr. Speaker:

The select committee, to whom was referred house file No 35, An act for the appointment of county and precinct officers, having had the same under consideration, respectfully report it back to the house with amendments thereto attached, and recommend its passage as amended.

E. A. ALLEN.

Mr. Holladay of Nemaha, submitted the following report:

Mr. Speaker:

The committee on engrossed and enrolled bills report back house file No. 69. An act to legalize the organization of Pawnee county.

House file No. 71. A bill for an act to locate a territorial road from Fort Calhoun, Washington county, to the north part of Kelly's precinct, in Douglas county.

House file No. 83. An act to establish a territorial road from Fort Calhoun to Elkhorn city, and to change the location of a part of the territorial road from Omaha to Fontenelle, as correctly engrossed.

A. S. HOLLADAY, Chairman.

Mr. Allen of Washington, submitted the following report:

Mr. Speaker:

The committee on judiciary, to whom was referred council bill No. 37. A bill for an act to repeal a part of section one hundred and forty-eight of the criminal code, having had the same under consideration, recommend that it do not pass.

A majority of same committee have had under consideration house file No. 96. An act to amend an act entitled an act to license and regulate the sale of malt, spirituous and vinous liquors in the Territory of Nebraska, approved January 11, 1861, and respecfully beg leave to recommend its indefinite postponement.

E. A. ALLEN, Chairman.
J. H. CROXTON.
D. BUTLER.
E. H. BARNARD.

Mr. Davis of Douglas, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 89, A bill for an act to define the boundaries of Holt county, beg leave to report the same back to the house with the following amendments: Strike out all of the first section after the word thence, in the eighth line, and insert the following: "South to the sixth standard parallel north, thence west to the second guide meredian west, thence north to the main channel of the running water river, thence easterly along said main channel to the place of beginning, shall be the county of Holt, and recommend its passage as amended.

O. F. DAVIS, Chairman.

And your committee, to whom was referred house file No. 105, A bill for an act to change the name of Calhoun county to Saunders, beg leave to report the same back without amendment, and recommend its passage.

O. F. DAVIS, Chairman.

Mr. Hagaman of L'Eau qui Court, submitted the following report:

Mr. Speaker:

Your committee on roads, to whom was referred house file No. 101. A bill for an act to amend an act to locate a territorial road from Decatur to Columbus, have had the same under consideration, and beg leave to report the bill back to the house, with the recommendation that it do pass.

R. M. HAGAMAN, Chairman.

Mr. Davis of Douglas, on leave introduced house file No. 114. A bill for an act for the regulation of a system of education in common schools.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on Common Schools.

Mr. Barnard of Dodge, on leave introduced house file No. 115. A bill for an act to amend the estray law.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on agriculture.

Mr. Clark of Douglas, on leave, introduced house file No. 116. A bill for an act to dissolve the bonds of matrimony between Wm. L. Clay and Harriet A. Clay.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

House file No. 86. (Substitute.) A bill for an act to define the boundaries of Burt, Cuming and Stanton counties, was taken up.

Read third time.

Bill passed and title agreed to.

House file No. 68. A bill for an act to amend an act relating to the sale of the cast iron of the territory of Nebraska, was taken up.

Mr. Bates of Dakota, moved to amend, by striking out in section one "school fund of the city of Omaha," and inserting "ornamenting of the capital grounds.

Upon which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allgawahr, Barnum, Bates, Beall, Blakely, Chapin, Chalfant, Eikenberry, Ewing, Hagaman, Holladay, Leaming, O'Conner, Porter, Reck and Wattles—16.

Nays—Messrs. Allen, Barnard, Bowen, Cahn, Clark of Douglas, Croxton, Davis, Griffin, McLaughlin, Rowles and Seymour.—11.

Amendment adopted.

Mr. Bowen of Washington, moved to lay the bill on the table. Lost.

On motion, ordered to be engrossed for a third reading.

House file No. 56. A bill for an act relating to the sale of property of parties in rebellion against the government of the United States was taken up.

On motion, made a special order for Thursday next.

House file No. 97. A bill for an act to authorize and require the treasurer of Washington county, to refund certain parties certain amounts of special tax levied for the year 1861, was taken up.

Read third time.

Bill passed and title agreed to.

House file No. 70. (Substitute.) A bill for an act to restrain stock from running at large in the Territory of Nebraska, was taken up.

Mr. Griffin of Douglas, moved to amend by substituting the following as section one to said bill:

SEC. 1. Be it enacted by the council and house of representatives of the Territory of Nebraska, that from and after the passage of this act, all horses, cattle, sheep, swine and mules, are restrained from running at large in the counties of Douglas, Sarpy and Hall, from the 15th day of April to the 15th day of December, and the nights shall be considered from the close of day light in the evening to the commencing of day light in the morning.

Carried.

On motion, the title was amended so as to read A bill for an act to restrain stock from running at large in the counties of Douglas, Sarpy and Hall.

On motion the bill was ordered to be engrossed for a third reading to-morrow.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
December 23, 1861.

Mr. Speaker:

I am instructed to inform your honorable body that the council has passed council bill No. 49. A bill to change the name of Green county, and the concurrence of the house is respectfully requested.

ROBT. W. FURNAS, Chief Clerk.

Council bill No. 11. A bill for an act to amend section eighty-three and one hundred of the code of civil procedure, was taken up.

Mr. Allen of Washington, moved to amend by adding the following as a new section:

SEC. 6. This act shall take effect, and be in force, from and after its passage.

Lost.

On motion, the further consideration of the bill was postponed.

Council bill No. 49. A bill for an act to change the name of Green county, was taken up.

Read first time.

Rules suspended. Bill read second and third time by its title.

Bill passed and title agreed to.

House file No. 69. A bill for an act to legalize the organization of Pawnee county, was taken up.

Read third time.

Bill passed and title agreed to.

House file No. 71. A bill for an act to locate a territorial road from Fort Calhoun, in Washington county, to Kelly's precinct, Douglas county, was taken up.

Read third time.

Bill passed and title agreed to.

House file No. 83. A bill for an act to establish a territoral road from Fort Calhoun, Washington county, to Elkhorn City, Douglas

county, and change a part of the territorial road from Omaha to Fontenelle, was taken up.
Read third time.
Bill passed and title agreed to.

Mr. Beall of Hall, on leave, introduced house file No. 117. A bill for an act to authorize Martin Tousley, to keep a mill dam across Wood river.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on corporations.

Mr. McLaughlin, on leave, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 102, beg leave to report that they have had the same under consideration, and report it back to the house without recommendation.

D. MCLAUGHLIN, Chairman.
JOHN RECK,
E. H. BARNARD.

The hour of 12¼ o'clock having arrived, the house adjourned.

GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Thursday, December, 26, 1861.

House met at 2 o'clock P. M., pursuant to adjournment.
Speaker in the chair.
Prayer by the Chaplain.
Roll called.
Absent—Messrs. Birchfield, Buchanan, Butler, Chapin, Closser, Crothers, Crow, Eikenberry, Hagaman, Larsh, Reynolds, Reed and Wiles.
Journal of Monday's session read and approved.

The following notices of bills were given:

By Mr. McLaughlin of Dakota, of A bill for an act repealing section three of an act to amend the code of civil procedure, approved January 13, 1860.
Also, A bill for an act to amend the charter of the town of St. Helena.

Also, A bill for an act granting a ferry charter to Richard Haggin, at Dixon.

Also, A bill for an act for a ferry charter at Covington, across the Missouri river.

Mr. Seymour of Douglas, offered the following resolution:

Resolved, That the committee on public buildings to whom was referred that portion of the governor's message, relative to memorializing Congress for an appropriation of money for the purpose of building a penitentiary for the territory, be instructed to report joint memorial and resolutions in accordance with such recommendation without delay.

Laid over under the rule.

Mr. Reck of Platte, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 106. An act to legalize the assessments for taxes in Clay county, have had the bill under consideration, and respectfully report the same back to the house, and recommend its passage.

JOHN RECK,
JAS. CHALFANT,
H. B. PORTER,
S. T. LEAMING.

Mr. Griffin of Douglas, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 93, An act to restrain stock from running at large in Cuming precinct, Washington county, have had the same under consideration, and report the same back with the following amendments, and recommend its passage as amended:

SEC. 1. After the word county, in fifth line, add: "except the town site of Cuming City, as first surveyed, bounded on the north by North Creek, on the south by South Creek, and on the east by First Creek."

JOEL T. GRIFFIN, Chairman.

MESSAGE FROM THE COUNCIL.

CAUNCIL CHAMBER,
December 26, 1861.

Mr. Speaker:

I am instructed to inform your honorable body that the council has passed council bill No. 47. A bill to amend an act to regulate the distribution of the laws and journals, and the concurrence of the house is respectfully requested.

I am also instructed to return you house file No. 62. A bill to relieve the tax payers of Cuming City school district.

Also, house file No. 64. A bill to authorize Avery Carter to keep a ferry at Peru, Richardson county, the same having passed the council without amendment.

ROBT. W. FURNAS, Chief Clerk.

Mr. Cahn of Douglas, submitted the following report:

Mr. Speaker :

The undersigned committee, to whom was referred the superintendence of the translation and printing of the governor's message in German, beg leave to report that they have examined said translation, and printing, and found the document to be in every respect a most perfect and complete one; which was to be expected from the well-known ability of the gentlemen to whom was entrusted the work of translation, by a joint resolution of the house and council. We also take pleasure, on this occasion, to state that the printing part thereof is well done, reflecting credit upon the parties who had the execution thereof.

AARON CAHN,
L. ALLGAWAHR.

Mr. Seymour of Douglas, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred council bill No. 39, Memorial and joint resolution for a mail route from Nebraska City to New Fort Kearney, and from said city to Ottumwa, Iowa, beg leave to report the same back without recommendation.

JAMES H. SEYMOUR, Chairman
Committee on Federal Relations.

Mr. Holladay of Nemaha, on leave, introduced house file No. 118. A bill for an act to amend an act for the appointment of masters in chancery, approved November 3, 1858.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Mr. Reck of Platte, introduced house file No. 119. A bill for an act to provide for the apportionment of the legislative assembly.

Read first time.

Rules suspended. Bill read second time by its title, and referred to a special committee, consisting of Messrs. Allen, Butler, Birchfield, McLaughlin, and Clark of Douglas.

Mr. Seymour of Douglas, on leave, introduced house file No. 120. A bill for an act to restrain stock from running at large in the county of Douglas.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on agriculture.

Mr. Allen of Washington, on leave, introduced house file No. 121. A bill for an act to change the name of Cutts' addition to River addition.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on corporations.

Also, house file No. 122. A bill for an act to vacate certain blocks in Cuming City.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Also, house file No. 123. A bill for an act to restrain horses, cattle, sheep, and swine, from running at large, in Logan precinct, Washington county.

Read first time.

Rules suspended. Bill read second time by its title, and referred to the committee on agriculture.

House file No. 28. A bill for an act to locate a territorial road from Bellevue, Sarpy county, to Elkhorn City, Douglas county, was taken up.

Mr. Davis of Douglas, moved to amend by striking out all after the word route, in the seventh line, and insert, "so as to intersect the road leading from McCardle's to Elkhorn, in Douglas county, at a point west of McCardle's.

Carried.

Also, to amend by inserting after the word runs, in third line of section four, the words "in proportion to the length of road in each county."

Carried.

On motion, ordered to be engrossed for a third reading tomorrow.

House file No. 29. A bill for an act to locate a territorial road from Bellevue to Omaha, was taken up.

Mr. Clark of Douglas, moved to amend by striking out in the last part of section one, the words, "said road," and inserting "the same."

Carried.

On motion, ordered engrossed for a third reading to-morrow.

House file No. 80. A bill for an act to confer the elective franchise on citizens residing temporarily on Indian reservations, was taken up.

Ordered to be engrossed for a third reading to-morrow.

House file No. 89. A bill for an act to define the boundary of Holt county, was taken up.

Ordered to be engrossed for a third reading to-morrow.

House file No. 35. A bill for an act to provide for the appointment of county and precinct officers, was taken up.

Ordered to be engrossed for a third reading to-morrow.

House file No. 105. A bill for an act to change the name of Calhoun county to Saunders, was taken up.

Read third time.

Bill passed and title agreed to

House file No. 100. Memorial and joint resolution relative to school lands on the Half-Breed reservations, in Richardson and Nemaha counties, was taken up.

Mr. Croxton of Otoe, moved to amend by striking out "county," in fifth line, and inserting "territory." Also, in eighth line insert "territory." Also, in eighteenth line strike out the latter portion of said line, and insert "territorial school lands."

Carried.

On motion, ordered to be engrossed for a third reading to-morrow.

House file No. 37. (Substitute.) A bill for an act to attach certain unorganized parts of Nebraska, to the first judicial district, was taken up.

Read third time.

Bill passed and title agreed to.

House file No. 101. A bill for an act to amend an act to locate a territorial road from Decatur to Columbus, was taken up.

Ordered to be engrossed for a third reading to-morrow.

House file No. 102. A bill for an act to authorize Anna E. White

and Hiram White to keep a mill-dam across New York creek, was taken up.
Ordered to be engrossed for a third reading to-morrow.

House file No. 97. A bill for an act authorizing and requiring the treasurer of Washington county to refund, to certain persons, a certain amount of special tax, levied for 1861, was taken up.
Ordered to be engrossed for a third reading to-morrow.

House file No. 96. A bill for an act to amend an act entitled an act to license and regulate the sale of malt, spirituous, and vinous liquors, approved January 11, 1861, was taken up.

On motion, indefinitely postponed.

House file No. 38. (Substitute for Nos. 38 and 78.) A bill for an act requiring certain county officers to keep their offices at the county seat of their respective counties, was taken up.

Mr. Clark of Douglas, moved to amend by inserting after the word sheriff, "prosecuting attorneys.
Carried.

Mr. Allen of Washington, moved to amend by striking out the word "and," before sheriff, and inserting "the same" after.
Carried.

Mr. Allgawahr of Richardson, moved to amend by striking out "thirty," before the word days, and inserting "sixty."
Carried.

Mr. McLaughlin of Dakota, moved to amend by striking out, in section second, the word "or," before sheriff, and inserting "or prosecuting attorney.
Carried.

On motion, ordered to be engrossed for a third reading to-morrow.

Mr. Bates of Dakota, moved that house file No. 78, A bill for an act to require probate judges to keep their offices at the county seat of their respective counties, be indefinitely postponed.
Carried.

Mr. Clark of Douglas, moved that house file No. 38, A bill for an act to provide for the sheriffs to keep their office at the county seat of their respective counties, be laid on the table.
Carried.

Council bill No. 37. A bill for an act to repeal section one hundred and forty-eight of the criminal code, was taken up.

Mr. Bowen of Washington, moved that the bill be indefinitely postponed.
Carried.

House file No. 56. A bill for an act in relation to the sale of property of persons found in rebellion against the government of the United States, was taken up.

Mr. Allgawahr of Richardson, moved to amend by striking out "thirty" before the word days, and inserting "sixty."
Carried.

Mr. Barnes of Dodge, moved that when the house adjourn, it adjourn until Monday at 2 o'clock, P. M.; upon which the ayes and nays were demanded with the following result:
Ayes—Messrs. Barnard, Beall, Blakely, Bowen, Clarke of Sarpy, Croxton and Davis—7.
Nays—Messrs. Allgawahr, Allen, Barnum, Cahn, Chalfant, Clark of Douglas, Ewing, Griffin, Holladay, McLaughlin, O'Conner, Porter, Reck, Rowles, Seymour and Wattles—16.
Motion lost.

On motion, permission was granted to the members of the house on the joint committee on finance, to sit during the session of the house.

Mr. Davis of Douglas, moved that when the house adjourn, it be until Saturday, at 2 o'clock, P. M.
Lost.

Mr. Clark of Douglas, moved that when the house adjourn it be until to-morrow morning at 10 o'clock.
Carried.

Mr. Seymour of Douglas, moved that the house adjourn.
Lost.

Call of the house demanded.
Absent—Messrs. Birchfield, Buchanan, Butler, Chapin, Closser, Crothers, Crow, Eikenberry, Hagaman, Larsh, Leaming, Reynolds, Reed, and Wiles.
The above named members having leave of absence,

On motion, all further proceedings under the call were dispensed with.

Mr. Clark of Douglas, moved that the house go into committee of the whole on house file No. 56.

Lost.

On motion, the house at 4½ o'clock, P. M., adjourned.

GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Friday, December 27, 1861.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Roll called.

Absent—Messrs. Barnard, Butler, Chapin, Clark of Douglas, Crothers, Crow, Eikenberry, Larsh, McLaughlin, Reynolds, Reed, and Rowles.

On motion, leave of absence was granted Mr. Barnard until Monday next.

Journal read and approved.

Mr. Reck of Platte, presented the petition of Smith Neelsam, and thirty-five others, asking that the road tax of three dollars on each quarter section of land, be not repealed.

Read and referred to committee on agriculture.

Resolution relative to report of committee on public buildings, was taken up.

On motion, adopted.

Mr. Bowen, on leave, introduced house file No. 124. A bill for an act to restrain stock from running at large, in the Territory of Nebraska.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on agriculture.

House file No. 125. A bill for an act relative to the territorial board of agriculture.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on agriculture.

Mr. Porter of Richardson, on leave, introduced house file No. 126. A bill for an act to rescind the tax levied for the purpose of building a school house in township number three, range fourteen, east, in Richardson county.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on schools.

Mr. McLaughlin of Dakota, introduced house file No. 127. A bill for an act to repeal section third of an act entitled an act to amend the code of civil procedure.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Also, house file No. 128. A bill for an act to establish a ferry at Dixon, Nebraska Territory.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on corporations.

Also, house file No. 129. Memorial and joint resolution relative to a mail route from Dakota City to Fort Kearney.

Read first time.

Rules suspended. Bill read second time by its title.

On motion, referred to a committee, consisting of Messrs. McLaughlin, Bates, O'Conner, Hagaman, and Reck.

Also, house file No. 130. A bill for an act granting a ferry charter, at Covington, Nebraska Territory.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on corporations.

Mr. Porter of Richardson, on leave, introduced house file No. 131. A bill for an act to dissolve the bonds of matrimony between Zachariah Cox and Elizabeth Cox.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Council bill No. 47. A bill for an act to amend an act entitled an act to provide for the distribution of the laws and journals of the Territory of Nebraska, and for other purposes.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

House file No. 56. A bill for an act relative to the sale of property of persons found in rebellion against the government of the United States, was taken up.

Mr. Allen of Washington, moved to amend by striking out the words "residing in the southern confederacy," and insert "South Carolina."

Lost.

Mr. Allen of Washington, moved that the bill be indefinitely postponed, on which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allen, Barnum, Bates, Beall, Cahn, Chalfant, Clark of Douglas, Clarke of Sarpy, Croxton, Davis, Hagaman, McLaughlin, O'Conner, Rowles, and Seymour—15.

Nays—Messrs. Allgawahr, Birchfield, Blakely, Buchanan, Ewing, Griffin, Holladay, Leaming, Porter, Reck, and Wattles—11.

Carried.

Mr. McLaughlin of Dakota, moved to reconsider the vote by which the bill was indefinitely postponed.

Mr. Seymour of Douglas, moved to lay that motion on the table.

Carried.

House file No. 106. An act to legalize the assessment of taxes of Clay county, for 1861, was taken up.

Read third time. Bill passed, and title agreed to.

House file No. 61. A bill for an act to vacate certain streets and alleys in the town of Peru, was taken up.

On motion, made a special order for Tuesday next.

Council bill No. 39. Memorial and joint resolution relative to a mail route from Nebraska City to New Fort Kearney, and from said city to Ottumwa, Iowa, was taken up.

Read third time. Bill passed, and title agreed to.

Mr. Holladay of Nemaha, submitted the following report:

Mr. Speaker:

The committee on engrossed and enrolled bills report as correctly engrossed, house file No. 93. A bill for an act to restrain cattle, sheep, horses and swine, from running at large in Cuming City precinct, Washington county, Nebraska Territory.

A. S. HOLLADAY, Chairman.

Mr. Clarke of Sarpy, on leave, introduced house file No. 132. A bill for an act to incorporate the Fort Kearney Platte river Bridge Company.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on roads.

Mr. Griffin of Douglas, moved that the house proceed to the election of an engrossing clerk.

Mr. Bates moved to amend, that the house proceed to the election of an assistant engrossing clerk.
Carried.
Motion, as amended, adopted.

The following named persons were put in nomination:

Messrs. J. Rudowsky, Chas. Surgletary, L. M. Kline, R. C. Jordan, Benj. Stickles and S. D. Bangs.

The roll being called, the vote stood as follows:

For Mr. Singletary—Messrs. Bates, Beall, Birchfield, Buchanan, Chalfant, Croxton, Hagaman, Holladay, McLaughlin, O'Conner, Reck and Wattles—12.
For Mr. Jordan—Messrs. Blakely, Cahn, Clark of Douglas, Davis and Griffin—5.
For Mr. Kline—Messrs. Allgawahr, Allen, Bowen, Ewing and Porter—5.
For Mr. Bangs—Messrs. Barnum, Clarke of Sarpy, and Rowles—3.
For Mr. Rudowsky—Messrs. Seymour and Mr. Speaker—2.
Whole number of votes cast, 27.
Necessary to a choice, 14.

No person having received a majority of all the votes, the house proceeded to a second ballot with the following result:

For Mr. Singletary—Messrs. Allgawahr, Barnum, Bates, Beall, Buchanan, Croxton, Ewing, Hagaman, Leaming, McLaughlin, O'Conner, Porter, Reck and Wattles—14.
For Mr. Jordan—Messrs. Birchfield, Blakely, Cahn, Chalfant, Clark of Douglas, Clarke of Sarpy, Davis, Griffin, Holladay, Rowles, Seymour and Mr. Speaker—12.
For Mr. Kline—Messrs. Allen and Bowen—2.
Whole number of votes cast, 28.
Necessary to a choice, 15.

No person having received a majority, the house proceeded to ballot for the third time, with the following result:

For Mr. Singletary—Messrs. Allgawahr, Bates, Beall, Chalfant, Croxton, Hagaman, Leaming and O'Conner—8.

For Mr. Jordan—Messrs. Allen, Barnum, Birchfield, Blakely, Bowen, Buchanan, Cahn, Clark of Douglas, Clarke of Sarpy, Davis, Ewing, Griffin, Holladay, McLaughlin, Porter, Reck, Rowles, Seymour, Wattles and Mr. Speaker—20.

Whole number of votes cast, 28.

Necessary to a choice, 15.

Mr. Jordan having received a majority of all the votes cast, was declared duly elected.

Mr. Clark of Douglas, moved that the chief clerk be instructed to inform Mr. Jordan of his election.

Carried.

Mr. Clark of Douglas, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 114, having had the same under consideration, beg leave to report the same back to the house, with an amendment thereto, for the further consideration of the house.

Also, house file No. 126. A bill for an act to rescind the tax levied for building school house in township three, range fourteen, in the county of Richardson, beg leave to report the same back and recommend its passage. M. H. CLARK, Chairman.

House file No. 93. A bill for an act to restrain horses, cattle, mules, sheep and swine, from running at large in Logan precinct, Washington county, was taken up.

Read third time. Bill passed, and title agreed to.

Mr. Davis of Douglas, moved that when the house adjourn it will be until Monday, at 2 o'clock, P. M.

Lost.

Mr. Seymour of Douglas, moved that when the house adjourn, it will be until Monday, at 10 o'clock, A. M.

Lost.

The hour of 12½ o'clock having arrived, the house adjourned.

GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Saturday, December 28, 1861.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Roll called.

Absent—Messrs. Barnard, Bates, Butler, Crothers, Crow, Larsh, McLaughlin, Reynolds, Read and Seymour.

Journal read and approved.

Mr. Wattles of Sarpy, moved that when the house adjourn it will be until Monday, at 2 o'clock, P. M.

Carried.

Mr. Blakely of Gage, moved that the house do now adjourn.

Lost.

Mr. Wiles of Cass, presented the petition of R. E. Farmer, and nineteen others, asking that cattle be restrained from running at large in Salt Creek precinct, Cass county.

Read, and referred to committee on agriculture.

Mr. Leaming of Burt, presented the petition of J. C. Crawford and nine others, praying that stock be restrained from running at large in Dewitt precinct, Cuming county.

Read, and referred to committee on agriculture.

Mr. Allen presented the petition of H. C. H. Fitzgerald, praying for a divorce.

Read, and referred to committee on judiciary.

The following notices of bills were given:

By Mr. Blakely of Gage, of a bill to legalize the organization of Clay county, and to establish the county seat at Austin.

By Mr. Holladay of Nemaha, of a bill for an act to change the name of Morton county.

By Mr. Allen of Washington, of a bill for an act to dissolve the bonds of matrimony between Henry C. H. Fitzgerald and Elizabeth Frances Fitzgerald.

By Mr. Leaming of Burt, of a bill to restrain stock from running at large in Dewitt precinct, Cuming county.

Mr. Clarke of Sarpy, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred that portion of the governor's message that relates to a penitentiary, would report the accompanying memorial and joint resolution, and recommend its passage.

H. T. CLARKE,
J. CHALFANT,
E. BEALL.

Mr. Griffin of Douglas, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 115. An act to amend the estray law, have had the same under consideration, and recommend its passage.

Also, house file No. 120. A bill for an act to restrain stock from running at large in Douglas county, and provide for the same, have had the same under consideration, and recommend that it do not pass.

Also, house file No. 125. An act relative to the territorial board of agriculture, and recommend its passage.

Also, house file No. 113. A bill for an act to repeal an act to restrain sheep and swine from running at large in Cass county, have had the same under consideration, and recommend its passage.

Also, house file No. 123. A bill for an act to restrain horses cattle, sheep and swine from running at large in Logan precinct, Washington county, and report the same back without recommendation.

Also, house file No. 124. An act to restrain stock from running at large in the Territory of Nebraska, and recommend that it do not pass.

J. T. GRIFFIN, Chairman.

Mr. Allen of Washington submitted the following report:

Mr. Speaker:

The committee on judiciary, to whom was referred house file No. 112, also, house file No. 122, have had the same under consideration, and report them back to the house, with the recommendation that they pass.

E. A. ALLEN, Chairman.

House file No. 133. Memorial and joint resolution relative to a penitentiary in Nebraska.

Read first and second time.

Mr. Allen of Washington, introduced house file No. 134. A bill for an act to locate a territorial road.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on roads.

House file No. 126. An act to rescind the tax levied for building school house in township number three (3), in range fourteen, in Richardson county, was taken up.

Read third time.

Bill passed and title agreed to.

On motion, the house at 11 o'clock adjourned.

GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Monday, Dec. 30, 1861.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Roll called.

Absent—Messrs Barnard and Bates.

Journal read and approved.

Mr. Bowen of Washington, presented the petition of J. P. Andrews, and nineteen others, for the vacation of certain streets and alleys in the city of Fort Calhoun.

Read and referred to committee on corporations.

Mr. Larsh of Otoe, gave notice of a bill for an act relative to leasing school lands of the territory.

Mr. Davis of Douglas, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 94, A bill for an act to reorganize the county of Buffalo, and provide for the appointment of county commissioners thereof, having had the same under consideration, beg leave to report the same back with an amendment, and recommend its passage as amended·

O. F. DAVIS, Chairman.

Mr. McLaughlin of Dakota, submitted the following report:

Mr Speaker:

Your committee, to whom was referred house file No. 129, Memorial and joint resolution relative to a mail route from Dakota City to Fort Kearney, beg leave to state that they have had the same under consideration, and report the same back to the house with an amendment, and recommend its passage.

A. MCLAUGHLIN, Chairman.

Mr. Holladay of Nemaha, submitted the following report:

Mr. Speaker:

The committee on engrossed and enrolled bills report the following bills as correctly engrossed:

House file No. 35. An act for the appointment of county and precinct officers.

House file No. 89. A bill for an act to define the boundary of Holt county.

House file No. 29. A bill for an act to locate a territorial road from Omaha to Bellevue..

House file No. 102. A bill for an act to authorize Anna A. White and Hiram White to erect and keep a mill dam across New York creek.

House file No. 80. A bill for an act to confirm the elective franchise to citizens residing temporarily on Indian reservations.

House file No. 100. Memorial and joint resolution relative to school land on the Half-Breed reservation in Richardson and Nemaha counties.

House file No. 38. A bill for an act requiring certain officers to keep their offices at the county seats of their respective counties.

House file No. 101. A bill for an act to amend an act to locate a territoriol road from Decatur to Columbus.

House file No 68. A bill for an act to amend an act to authorize the sale of the cast iron of the Territory of Nebraska.

House file No. 97. A bill for an act to authorize the treasurer of Washington county to refund, to certain persons, a certain amount of special tax levied for the year A. D. 1861.

House file No. 72. A bill for an act to regulate the laying out of towns and villages. A. S. HOLLADAY, Chairman.

The same committee also report the following bills as correctly engrossed.

House file No. —. A bill for an act to legalize the tax levy of A. D. 1861 in Douglas county, and for the collection of the unpaid taxes of 1860.

House file No. 11. A bill for an act entitled an act to restrain sheep and swine from running at large in the county of Burt.

House file No. 5. An act to establish a territorial road from Ponca City to Niobrara.

House file No. 47. Joint resolution relative to the completion of two chambers designed for the use of the council and house of representatives.

House file No. 62. An act to relieve the tax payers of Cuming City school district from payment of District school tax.

House file No. 30. An act to locate a territorial road from Columbus, in Platte county, to Shell creek, in same county.

House file No. 36. An act for the location of the county seat of Hall county, by a vote of the people.

House file No. 57. An act to locate a territorial road from a point on the military road in Platte county, between Harschberger's and Bushnell's, to Clear creek, in Butler county.

House file No. 41. An act to amend the act of incorporation of Dakota City.

House file No. —. A memorial and joint resolution relative to the establishment of a mail route.

House file No. 10. An act to establish a ferry at Decatur.

House file No. 12. An act to establish a territorial road from St. Johns to Ionia.

House file No. 33. An act to create an election district for representatives of the counties of Hall, Buffalo, Kearney and Lincoln.

House file No. 64. An act to authorize Avery Carter to keep a ferry across the Missouri river, at Peru, Nemaha county.

A. S. HOLLADAY, Chairman.

Mr. Hagaman of L'Eau qui Court, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 134, A bill for an act to locate a territorial road from Rockport to the Florence and Fort Calhoun road, near Ponca creek, have had the same under consideration, and report the bill back, recommending its passage.

R. M. HAGAMAN, Chairman,

Mr. Wattles of Sarpy, on leave introduced house file No. 135. A bill for an act to amend an act entitled an act incorporating Bellevue City, approved March 15, 1855.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on ways and means.

Mr. Allgawahr of Richardson, introduced house file No. 136. A bill for an act to incorporate the German Sangerbund of the city of Arago.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on corporations.

Mr. Seymour of Douglas, introduced house file No. 137. A bill for an act to amend article ten (10) of an act entitled an act of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil cases, approved January 13, 1861.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Mr. Holladay of Nemaha, introduced house file No. 138. A bill for an act to amend an act entitled an act to provide for refunding the indebtedness of the territory.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Mr. Allen of Washington, introduced house file No. 139. A bill for an act to dissolve the bonds of matrimony between Henry C. H. Fitzgerald and Elizabeth Frances Fitzgerald.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Mr. Chapin of Cass, introduced house file No. 140. A bill for an act to incorporate the Rock Bluff Literary Association.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on corporations.

Mr. Wattles of Sarpy, asked that the committee on banks have longer time to report.

Leave granted.

On motion, Mr. Clark of Douglas, was added to said committee.

Mr. Bowen of Washington, on leave given, withdrew the petitions and remonstrances relative to a herd law for Cuming City precinct, Washington county.

House file No. 113. A bill for an act to repeal an act to restrain sheep and swine from running at large in portions of Cass county, was taken up.

On motion, recommitted to special committee of Messrs. Chapin, Wiles, Eikenberry, Barnum and Chalfant.

House file No. 122. A bill for an act to vacate certain blocks in Cuming City, Washington county, was taken up.

Read third time.

Bill passed and title agreed to.

House file No. 112. A bill for an act requiring special constables to give bonds, was taken up.

Read third time.

Bill passed and title agreed to.

House file No. 123. A bill for an act to restrain horses, cattle, sheep and swine from running at large in Logan precinct, Washington county, was taken up.

On motion, ordered engrossed for a third reading to-morrow.

House file No. 120. A bill for an act to restrain stock from running at large in Douglas county, was taken up.

On motion, indefinitely postponed.

House file No. 124. A bill for an act to restrain stock from running at large in the territory, was taken up.

On motion, laid on the table.

House file No. 133. Memorial and joint resolution for a penitentiary in Nebraska, was taken up.
Read third time.
Bill passed and title agreed to.

House file No. 125. An act relative to territorial board of agriculture, was taken up.
Read third time.
Bill passed and title agreed to.

House file No. 29. A bill for an act to locate a territorial road from Omaha City to Bellevue, was taken up.
Read third time.
Bill passed and title agreed to.

House file No. 35. A bill for an act for the appointment of county and precinct officers, was taken up.
Read third time.
Bill passed and title agreed to.

House file No. 38. A bill for an act requiring certain county officers to keep their offices at the county seats of their respective county, was taken up.
Read third time.
Bill passed and title agreed to.

House file No. 72. A bill for an act to regulate the laying out of towns and villages, was taken up.
Read third time.
Bill passed and title agreed to.

House file No. 80. A bill for an act entitled an act to confirm the elective franchise to persons residing temporarily on Indian reservations, was taken up.

Mr. McLaughlin of Dakota, moved the bill be recommitted to committee of one, to strike out all after the enacting clause in section one, and change the number of the section.
Carried.
And referred to Mr. McLaughlin, who reported the bill back with amendment, which was adopted by the house.

On motion of Mr. Reck, the bill was recommitted to a special committee, consisting of Messrs. Allgawahr, Bates, Blakely, Hagaman, Holladay, Leaming, Reck and with instructions to report the bill back to-morrow.

House file No. 70. A bill for an act to restrain stock from running at large in the counties of Douglas, Sarpy and Hall, was taken up.

Mr. Leaming moved, Cuming county be inserted after Hall.
Carried.

On motion, bill ordered to be engrossed for a third reading to-morrow.

House file No. 68. A bill for an act to amend an act entitled an act to authorize the sale of the cast iron of the Territory of Nebraska, was taken up.
Read third time.
Question being on its passage, the ayes and nays were demanded, with the following result:
Ayes—Messrs. Barnum, Beall, Cahn, Chapin, Clark of Douglas, Clarke of Sarpy, Davis, Griffin, McLaughlin, Reck, Rowles and Seymour—12.
Nays—Messrs. Allgawahr, Allen, Bates, Birchfield, Blakely, Buchanan, Butler, Chalfant, Closser, Crothers, Crow, Eikenberry, Ewing, Hagaman, Holladay, Larsh, Leaming, O'Conner, Porter, Reynolds, Reed and Wiles—22.
Lost.

House file No. 89. A bill for an act to define the boundary of Holt county, was taken up.
Read third time.
Bill passed and title agreed to.

House file No. 106. Memorial and joint resolution relative to the Half-Breed reservation of Richardson and Nemaha counties.
Read third time.
Bill passed and title agreed to.

House file No. 101. A bill for an act to amend an act to locate a territorial road from Decatur to Columbus, was taken up.

Read third time.

Bill passed and title agreed to.

House file No. 97. A bill for an act to authorize and require the treasurer of Washington county to refund, to certain persons, certain amount of special school tax, levied 1861, was taken up.

Read third time.

Bill passed and title agreed to.

House file No. 102. A bill for an act to authorize Anna A. and Hiram White, to keep a mill dam across New York creek in Washington county, was taken up.

Read third time.

Bill passed and title agreed to.

Mr. Cahn of Douglas, on leave, introduced house file No. 141. A bill for an act to incorporate the Nebraska Historical Society.

Read first time.

Rules suspended. Bill read a second time by its title, and referred to the committee on corporation.

On motion the house at 4½ o'clock P. M. adjourned.

GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Tuesday, December 31, 1861.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Roll called.

Absent—Messrs. Bates and McLaughlin.

Mr. Crow of Nemaha, presented the petition of John W. Bliss, praying for a divorce.

Read and referred to committee on judiciary.

Mr. Butler of Pawnee, presented the petition of A. E. Hage, and others, asking for a law to restrain stock from running at large in Gage county.

Read and referred to committee on agriculture.

Mr. Blakely of Gage, presented the remonstrance of John Armstrong, and sixty others, against above petition.

Mr. Crow of Nemaha, gave notice of a bill to dissolve the bonds of matrimony between John W. Bliss and Mary L. Bliss.

Mr. Reynolds of Otoe, gave notice of a bill entitled an act to prevent the circulation of counterfeit and worthless bills.

Also, a bill for an act for the relief of Samuel V. Niles.

Mr. Allen of Washington, moved, that when the house adjourn it will be until Thursday, at 2 o'clock, P. M.

Carried.

Mr. Holladay of Nemaha, submitted the following report:

Mr. Speaker:

The committee on engrossed and enrolled bills report that house file No. 123. A bill for an act to restrain horses, cattle, sheep and swine from running at large in Logan precinct, Washington county.

Also, house file No. 70. A bill for an act restraining stock from running at large in the counties of Douglas, Sarpy, Hall and Cuming,

Also, house file No. 28. A bill for a territorial road from Bellevue, Sarpy county, to Elkhorn City, Douglas county, as correctly engrossed.

A. S. HOLLADAY, Chairman.

Mr. Reck of Platte, from special committee, submitted the following report:

Mr. Speaker:

The special committee having considered house file No. 80. A bill for an act to confirm the elective franchise to citizens residing temporarily on Indian reservations, report that the provisions of the bill are just, and that it is expedient that a law of the nature therein contemplated, be passed.

But the committee being informed such a law will be objectionable to citizens of the counties adjoining lands reserved by treaty to the Otoe Indians, have reported a bill as substitute for House file No. 80, whereby the provisions of the said bill are limited so as to confirm the elective franchise to citizens residing on the lands reserved to the Omaha and Pawnee Indians, and no others.

The committee respectfully recommend the bill reported as a substitute be adopted, and passed.

JOHN RECK,
A. S. HOLLADAY,
S. T. LEAMING,
L. ALLGAWAHR,
R. M. HAGAMAN.

Mr. Davis of Douglas, introduced house file No. 142. A bill for an act to regulate the laying out of county and territorial roads.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on roads.

Mr. Reynolds of Otoe, introduced house file No. 143. A memorial and joint resolution relative to the protection of the frontier.
Read first time.
Rules suspended. Bill read second time by its title.

Mr. Davis moved, the rule be suspended, and bill read a third time.
Lost.

Mr. Bowen of Washington, introduced house file No. 144. A bill for an act to vacate certain streets and alleys in the city of Fort Calhoun.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on corporations.

House file No. 54. A joint memorial and resolution relative to the exemption of the territory from the federal direct tax, was taken up.

Mr. Griffin of Douglas moved the bill be indefinitely postponed, on which the ayes and nays were demanded, with the following results:
Ayes—Messrs. Allgawahr, Barnum, Bates, Beall, Birchfield, Buchanan, Chalfant, Closser, Clarke of Sarpy, Crothers, Crow, Davis, Eikenberry, Ewing, Griffin, Hagaman, Holladay, Larsh, Leaming, McLaughlin, O'Conner, Reck, Reynolds, Reed, Rowles, Seymour and Wattles—27.
Nays—Messrs. Allen, Barnard, Blakely, Bowen, Butler, Chapin, Clark of Douglas, Croxton, Porter and Wiles—10.
Bill indefinitely postponed.

Mr. Holladay of Nemaha, submitted the following report:

Mr. Speaker:

The committee on engrossed and enrolled bills report that the following bills have this day been presented to the governor for his approval or rejection:
An act to establish a ferry at Decatur.
Memorial and joint resolution.
An act to establish a territorial road from Ponca City to Niobrara.

An act to locate a territorial road from a point on the military road in Platte county, between Harshberger's and Bushnell's, to Clear creek, in Butler county.

Joint resolution relative to the completion of the two chambers designed for the use of the council and house of representatives.

An act to amend an act of incorporation of Dakota City.

An act to locate a territorial road from Columbus, in Platte county, to Shell creek, in the same county.

An act for the location of the county seat of Hall county, by a vote of the people.

An act to locate and establish a territorial road from St. Johns to Ionia.

An act to relieve the tax payers of Cuming City school district from payment of district school tax.

An act entitled an act to restrain sheep and swine from running at large in the county of Burt.

An act to legalize the tax levy of A. D. 1861 in Douglas county, Nebraska Territory, and for the collection of the unpaid taxes for the year 1860.

An act to authorize Avery Carter to keep a ferry across the Missouri river at Peru, Nemaha county, Nebraska Territory.

A. S. HOLLADAY, Chairman.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
December 31, 1861.

Mr. Speaker:

I am instructed to inform your honorable body that the council has passed council bill No. 54. A bill for the appointment of judges of election in Falls City, and the concurrence of the house is respectfully solicited.

I am also instructed to return you house file No. 93. A bill restraining stock from running at large in Cuming City precinct, the same having passed the council without amendment.

ROBT. W. FURNAS, Chief Clerk.

Mr. Reynolds of Otoe, submitted the following report:

Mr. Speaker:

Your committee on corporations, to whom was referred house file No. 111. A bill for an act to vacate block ten (10) in the town of Ponca, Dixon county.

Also, house file No. 98. A bill for an act to amend an act entitled an act to establish a ferry across the Missouri river, in Burt county, Nebraska Territory.

Also, house file No. 183. A bill for an act to authorize Wm. Bailey to erect and keep a mill dam across Noheart creek, in Washington county.

Also, house file No. 141. A bill for an act to incorporate the Nebraska Historical Society.

Also, house file No. 91. A bill for an act to establish a ferry at the north fork of the Platte river.

Also, house file No. 121. A bill for an act changing the name of Cutt's addition to river addition.

Also, house file No. 90. A bill for an act to authorize John B. Brigler to keep a ferry at Dakota City.

Also, house file No. 136. A bill for an act to incorporate the German Sangerbund, of the city of Arago.

Also, house file No. 109. A bill for an act to amend an act to authorize Edward P. Stout, and associates, to run and keep a ferry across the Missouri river at Desoto, passed at the first regular session of the legislature of the Territory of Nebraska; and, also, An act entitled an act supplementary to an act entitled an act to authorize Wm. Chancey and P. C. Sullivan to keep and run a ferry across the Missouri river at Desoto, in the county of Washington, and Territory of Nebraska.

Also, house file No. 117. A bill for an act to authorize Martin Tousley to keep a mill dam across Wood river.

Also, house file No. 128. A bill for an act to establish a ferry at Dixon, Nebraska Territory.

Also, house file No. 108. A bill for an act to authorize H. J. Robison to erect and keep a mill dam across Logan creek, in Washington county, Nebraska Territory.

Also, house file No. 79. A bill for an act to incorporate the first Presbyterian church at Bellevue.

Also, house file No. 130. A bill for an act granting a ferry charter at Covington, Dakota county, Nebraska Territory.

Also, house file No. 140. A bill for an act to incorporate the Rock Bluff Literary Society, beg leave to report the same back to the house, and recommend their passage.

Your committee also beg leave to report back council bill No. 36. A bill for an act to provide for the erection of mills and mill dams, and for other purposes, without recommendation.

M. W. REYNOLDS, Chairman.

Mr. Ewing of Richardson, moved the reconsideration of the vote on house file No. 68. A bill for an act for the sale of the cast iron of the territory.

Carried.

Mr. Griffin of Douglas, moved the money be appropriated to finishing the council hall.

Mr. Bowen of Washington, moved the house go into committee of the whole on said bill.

Carried.

Mr. Bowen of Washington, in the chair.

After some time spent therein, the committee arose, and through their chairman reported the bill back to the house, with certain amendments thereto attached, and recommend that it pass as amended.

Amendment concurred in, and ordered engrossed for third reading to-morrow.

Mr. Butler, on leave, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 84, An act to define the councilman districts, beg leave to submit the following substitute, and recommend its passage.

D BUTLER, Chairman.
W. P. BIRCHFIELD,
C. McLAUGHLIN.

Mr. Griffin of Douglas moved that the house take a recess until 2 o'clock, P. M.

Lost.

On motion of Mr. Leaming of Burt, the house at 12½ o'clock adjourned.

GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Thursday, January 2, 1862.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Roll called.

Absent—Messrs. Chapin, Leaming, Wattles and Wiles.

On motion, leave of absence was granted Messrs. Leaming and Chapin for the day.

Mr. Clark of Douglas, moved to amend the journal by inserting the following: "Mr. Butler, from the select committee to whom was referred house file No. 54, presented a report, which report was ruled out of order by the speaker."

Lost.

Mr. Allen of Washington, presented three affidavits relative to a divorce bill.

On motion, referred to committee on judiciary.

Mr. Butler presented the petition of A. Towle, and forty others, asking the boundary line of Gage changed.

Read and referred to committee on county boundaries and county seats.

Mr. Wattles of Sarpy, presented the petition of George W. Davis, praying for a divorce.

Also, the petition of Ann Davis, praying for a divorce.

Read, and on motion referred to select committee of Messrs. Wattles, Larsh and Hagaman.

Mr. Barnard of Dodge, gave notice of A bill for an act relative to weights and measures.

Also, of A bill for an act to define the powers and duties of county commissioners and county clerks.

Also, of A bill for an act to define the southern boundary of the county of Dodge.

Mr. Hagaman of L'Eau qui Court, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 142, A bill for an act to regulate the laying out of territorial and county roads, have had the same under consideration, and beg leave to report it back to the house, and recommend its passage.

Also, house file No. 132. A bill for an act to incorporata the Fort Kearney and Platte river bridge company. Your committee report the same back with several amendments thereto attached, and recommend its passage. R. M. HAGAMAN, Chairman.

Mr. Clark of Douglas, submitted the following report:

Mr. Speaker:

The undersigned, from the select committee, to whom was referred house file No. 84, having had the same under consideration, beg leave to represent that the vote at the last congressional election being the basis upon which the bill referred to, your committee are of the opinion that the passage of this bill, or any other, until the census of the territory has been taken, would be liable to work great injustice to some counties. Such a census could be taken at no expense to the territory, by passing a law requiring precinct assessors to perform the necessary labor at the time of making assessments. Therefore, for want of a proper and reliable basis upon which to define the council districts of the territory, your committee most respectfully recommend the indefinite postponement of the bill under consideration.

M. H. CLARK,
E. A. ALLEN.

Mr. Allen of Washington, submitted the following report:

Mr. Speaker:

The committee on judiciary, have had under consideration house file No. 104. A bill for an act to amend the last clause of section fourteen, relating to sheriff's fees.

Also, house file No. 110. A bill for an act to dissolve the bonds of matrimony between George Bartlett and Jerusha Bartlett.

Also, house file No. 99. A bill for an act to repeal a portion of section one of chapter five of an act providing for the settlement of the estates of decedents, approved January 11, 1861, and report the same back, and recommend their passage without amendment.

Also, house file No. 77. A bill for an act to define legal publications, which is herewith referred back without recommendation.

Your committee have also had under consideration house file No. 66. A bill for an act regulating the general assembly of Nebraska, and report it back recommending its reference to the committee of the whole house.

Your committee, to whom was referred house file No. 58. A bill for an act to amend an act entitled an act to create a lien in favor of mechanics, and others, have had the same under careful consideration, and beg leave to recommend its indefinite postponement,

Also, council bill No. 11. A bill for an act to amend sections eighty-three and one hundred, of the code of civil procedure, and respectfully report the same back to the house with amendments thereto attached, and recommend its passage as amended.

E. A. ALLEN, Chairman.

Mr. McLaughlin of Dakota, introduced house file No. 145. A bill for an act to amend the act of incorporation of the City of St. Helena.

Rules suspended. Bill read first, second, and third time.

Bill passed and title agreed to.

Also, house file No. 146. A bill for an act fixing the time for holding the district courts in the third judicial district.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Also, house file No. 147. A bill for an act authorizing the commissioners of Dakota county, to divert a portion of the road fund for a special purpose.

Read first time.

Rules suspended. Bill read second time by its title, and referred to special committee, consisting of Messrs. McLaughlin, Bates, and O'Conner.

Mr. Reynolds of Otoe, introduced house file No. 148. A bill for the suspension of worthless and broken bank notes.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on banks.

Mr. Croxton of Otoe, on leave, introduced house file No. 149. A bill for an act to provide for the copying of the laws and journals of the eighth session of the Nebraska legislature.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on accounts and expenditure.

Also, house file No. 150. Joint resolution relative to the Union.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on federal relations.

Mr. Crow of Nemaha, introduced house file No. 151. A bill for an act to dissolve the bonds of matrimony between John W. Bliss and Mary L. Bliss.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Mr. Closser of Otoe, introduced house file No. 152. A bill for an act to amend section three of an act entitled an act to consolidate the corporation of Nebraska City, South Nebraska City, and Kearney City, and to incorporate Nebraska City, approved December 31, 1857, approved January 7, 1861.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on schools.

Mr. Griffin of Douglas, on leave, introduced house file No. 153. A bill for an act to encourage the growth of timber.

Read first time.

Rules suspended. Bill read second time by its title, and referred to the committee on agriculture.

Mr. Wattles of Sarpy, on leave, introduced house file No. 154. A bill for an act to dissolve the bonds of matrimony between Ann Davis and George W. Davis.

Read first time.

Rules suspended. Bill read second time by its title, and referred to special committee, consisting of Messrs. Wattles, Larsh, and Hagaman.

Also, house file No. 155. A bill for an act to dissolve the bonds of matrimony between George W. Danes and Louisa Danes.

Read first time.

Rules suspended. Bill read second time by its title, and referred to special committee, consisting of Messrs. Wattles, Larsh and Hagaman.

Council bill No. 54. A bill for an act to provide for the appointment of judges of elections for Falls city, was taken up.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on elections.

House file No. 80. (Substitute.) A bill for an act to confirm the elective franchise to persons living temporarily on the Omaha and Pawnee Indian reservations, was taken up.

Mr. Croxton of Otoe, moved to strike out all in section one, after the enacting clause.

Lost.

On motion, bill read third time.

Bill passed and title agreed to.

House file No. 94. A bill for an act to reorganize the county of Buffalo, and to appoint county commissioners, was taken up.

Ordered to be engrossed for a third reading to-morrow.

House file No. 124. Memorial and joint resolution relative to a mail route from Dakota City to Fort Kearney, was taken up.

Ordered to be engrossed for a third reading to-morrow.

House file No. 134. A bill for an act to locate a territorial road was taken up.

Ordered to be engrossed for a third reading to-morrow.

House file No. 79. A bill for an act to incorporate the first Presbyterian church of Bellevue, was taken up.

Mr. Clarke of Sarpy moved to amend by striking out the name of "Joseph Betts," as one of the incorporators thereof, and insert the name of "William McLaughlin.

Carried.

On motion, ordered to be engrossed for a third reading tomorrow

House file No. 130. A bill for an act granting a ferry charter at Covington, Dakota county, was taken up.
Read third time.
Bill passed and title agreed to.

House file No. 108. A bill for an act to authorize H. J. Robison to keep a mill dam across Logan creek, in Washington county, was taken up.
Read first time.
Bill passed and title agreed to.

House file No. 128. A bill for an act to establish a ferry at Dixon, was taken up.
Read first time.
Bill passed and title agreed to.

House file No. 98. A bill for an act to amend an act to establish a ferry across the Missouri river, in Burt county, was taken up.
Read third time.
Bill passed and title agreed to.

The following message was received from his excellency the governor, by the hands of his private secretary:

EXECUTIVE CHAMBER,
January 2, 1862.

Mr. Speaker:

I am directed by the governor to inform your honorable body that he has signed and approved the following bills, viz.:

An act to amend the act of incorporation of Dakota City.

An act to authorize Avery Carter to keep a ferry across the Missouri river at Peru, Nemaha county, Nebraska Territory.

An act to locate a territorial road from a point on the military road, in Platte county, between Harshberger's and Bushnell's, to Clear creek, in Butler county, Nebraska Territory.

An act to locate and establish a territorial road from St. Johns to Ionia.

An act to relieve the tax payers of Cuming City school district from payment of district school tax.

An act to locate a territorial road from Columbus, in Platte county, to Shell creek, in the same county.

An act to establish a ferry at Decatur.

Joint resolution relating to the completion of the two chambers designed for the use of the council and house of representatives.

A memorial and joint resolution for the establishment of a mail route from Marshall county, Iowa, to Decatur, Nebraska Territory.

An act to establish a territorial road from Ponca City to Niobrara.

An act for the location of the county seat of Hall county, by a vote of the people.

An act to legalize the tax levy in Douglas county, Nebraska Territory, and for the collection of the unpaid taxes for the year 1860.

An act to restrain sheep and swine from running at large, in the county of Burt.

An act to create an election district for representative of the counties composed of Hall, Buffalo, Kearney, and Lincoln counties.

E. P. BREWSTER, Private Secretary.

House file No. 90. A bill for an act to authorize John B. Zeigler to keep a ferry across the Missouri river at Dakota, was taken up.

Read third time. Bill passed, and title agreed to.

House file No. 91. A bill for an act to establish a ferry at the north fork of the Platte river, was taken up.

Read third time. Bill passed, and title agreed to.

House file No. 103. A bill for an act to authorize Wm. F. Bailey to keep a mill dam across Noheart creek, Washington county, was taken up.

Ordered engrossed for a third reading to-morrow.

House file No. 111. A bill for an act to vacate block ten (10) in Ponca, Dixon county, was taken up.

Read third time. Bill passed, and title agreed to.

House file No. 121. A bill for an act to change the name of Cutts' addition to River addition, was taken up.

Read third time. Bill passed, and title agreed to.

House file No. 117. A bill for an act to authorize Martin Tousley to keep a mill dam across Wood river, was taken up.

Ordered engrossed for a third reading to-morrow.

House file No. 109. A bill for an act to amend an act entitled an act to authorize E. P. Stout, and associates, to run and keep a ferry on the Missouri river at Desoto; passed at the first regular session of the legislature of the Territory of Nebraska. Also, an act entitled an act to authorize Wm. Chancey and P. C. Sullivan to keep a ferry across the Missouri river at Desoto, Washington county, was taken up.

Read third time. Bill passed, and title agreed to.

House file No. 1. A bill for an act to incorporate the Rock Bluff Literary Society, was taken up.

Ordered engrossed for a third reading to-morrow.

House file No. 115. A bill for an act to amend the estray law, was taken up.

Mr. Barnard of Dodge, moved that the bill be recommitted to a special committee of one, to incorporate a new section.

Carried.

Mr. Barnard, from said committee, reported the bill back with the following amendment: Add as last section, "this act shall take effect and be in force from and after its passage."

Report adopted, and the bill ordered engrossed for a third reading to-morrow.

House file No. 114. A bill for an act for the regulation and continuance of a system of education by common schools, was taken up.

On motion of Mr. Clark of Douglas, made a special order for tomorrow at 11 o'clock.

House file No. 136. A bill for an act to incorporate the German Sangerbund, of the city of Arago, was taken up.

Read third time. Bill passed, and title agreed to.

House file No. 141. A bill for an act to incorporate the Nebraska Historical Society, was taken up.

Read third time. Bill passed, and title agreed to.

House file No. 60. A bill for an act to provide for the leasing of school lands in the Territory of Nebraska, was taken up.

On motion of Mr. Clark of Douglas, made a special order for Saturday next.

House file No. 143. Memorial and joint resolution relative to the protection of our frontier, was taken up.

Mr. Croxton of Otoe, moved to amend by striking out "three," before the word companies, and insert "two," and to strike out the word "two" and insert the word "one."

Lost.

On motion, ordered engrossed for a third reading to-morrow.

Mr. Reynolds of Otoe, on leave, introduced house file No. 156. A bill for an act to encourage the manufacture of salt.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on mines and minerals.

Council bill No. 36. A bill for an act to provide for the erection of mills, mill dams, and other purposes, was taken up.

On motion of Mr. Croxton of Otoe, made a special order for Monday next.

House file No. 28. A bill for an act to locate a territorial road from Bellevue, Sarpy county, to Elkhorn City, Douglas county, was taken up.
Read third time. Bill passed, and title agreed to.

House file No. 70. A bill for an act to restrain stock from running at large in the counties of Douglas, Sarpy, Hall and Cuming, was taken up.
Read third time. Bill passed, and title agreed to.

House file No. 123. A bill for an act to restrain horses, cattle, sheep and swine from running at large in Logan precinct, Washington county, was taken up.
Read third time. Bill passed, and title agreed to.

On motion of Mr. McLaughlin of Dakota, the house at 5 o'clock, P. M., adjourned.

GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Friday, January 3, 1862.

House met pursuant to adjournment.
Speaker in the chair.
Prayer by the chaplain.
Roll called.
Absent—Messrs. Chapin, Clark of Douglas, Clarke of Sarpy, Larsh and McLaughlin.
Journal read and approved.

The following notices of bills were given:

By Mr. Closser of Otoe, of a bill for an act to vacate the streets and alleys of the western half of Hail & Co.'s addition to Nebraska City, Otoe county.

By Mr. Wattles of Sarpy, of a bill for an act to amend section two of an act to establish a ferry across the Platte and Elkhorn rivers, in Sarpy county, Nebraska Territory, approved January 5, 1861.

By Mr. Barnard of Dodge, of a bill for an act to fix the time of holding district courts in the first judicial district.

Mr. Reck of Platte, offered the following resolution:

Resolved, That the house will take a recess at quarter past twelve o'clock, and meet at half past two o'clock this day, and each day during the remainder of the session.
Rules suspended, and the resolution taken up.

Mr. Allen of Washington, moved that the resolution be postponed until Monday.
Lost.
Also, moved to amend by striking out to-day and insert Monday.
Lost.
Resolution adopted.

Mr. Reck of Platte, offered the following resolution:

Resolved, That this house will not, from and after January 4, entertain any local or special bill.
Laid over under the rules.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
January 2, 1862.

Mr. Speaker:

I am instructed to inform your honorable body, that the council have passed council bill No. 52. An act to authorize the county commissioners of Richardson county to draw orders on the treasury for claims now due from the county. The concurrence of the house is respectfully requested.

I am also instructed to return to you house file No. 100. Memorial and joint resolution relative to school lands on the Half-Breed reservation, in Richardson and Nemaha counties.

Also, house file No. 44. An act to locate and establish a territorial road from Dakota City to Fort Kearney, or some other point, the same having passed the council without amendment.

ROBT. W. FURNAS, Chief Clerk.

Mr. McLaughlin of Dakota, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 147, have had the same under consideration, and beg leave to report the same back to this house, and recommend its passage.

D. MCLAUGHLIN, Chairman.

Mr. Barnum of Cass, submitted the following report:

Mr. Speaker:

Your special committee, to whom was referred house file No. 113. A bill for an act to repeal an act to restrain sheep and swine from running at large in certain portions of Cass county, have had the same under consideration, and report it back with certain amendment attached thereto, and recommend its passage as amended.

JAS. CHALFANT,
S. EIKENBERRY,
J. WILES.

Mr. Holladay of Nemaha, submitted the following report:

Mr. Speaker:

The committee on engrossed and enrolled bills report that, An act to provide for the assessment of the real and personal property, and for the collection of taxes in the county of Jones, Territory of Nebraska.

An act to authorize H. W. Summerlad and George Walther to keep a ferry across the Missouri river at Arago, Richardson county, Nebraska Territory.

An act to restrain cattle, sheep and swine, from running at large in Cuming precinct, Washington county, Nebraska Territory; as correctly enrolled. A. S. HOLLADAY, Chairman.

Mr. Griffin of Douglas, submitted the following report:

Mr. Speaker:

Your committee to whom was referred house file No. 50. A bill for an act to restrain stock from running at large in Lancaster county; also, that portion of Cass county west of the range line, dividing range ten and eleven, have had the same under consideration, and recommend its passage.

Also, house file No. 153. A bill for an act to encourage the cultivation of timber, and recommend its passage.

Also, house file No. 107. An act to regulate the toll for grinding, and recommend that it do not pass.

JOEL T. GRIFFIN, Chairman.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
January 2, 1862.

Mr. Speaker:

I am instructed by the council to inform your honorable body, that the council has passed council bill No. 63. Memorial and joint resolution relative to the military condition and necessities of the Territory of Nebraska, and the concurrence of the house is respectfully solicited.

I am further instructed to return you house file No. 13. Memorial and joint resolution relative to a mail route.

House file No. 45. A bill to confirm the title of Lucinda Monell to certain real estate.

House file No. 25. A bill for an act to change the time of the meeting of the legislature, the same having passed the council without amendment. ROBT. W. FURNAS, Chief Clerk.

Mr. Crow of Nemaha, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 85, have had the same under consideration, ask leave to report the same back to the house without recommendation.

Your committee also report back council bill No. 54, and recommend that the same do pass.

GEO. CROW, Chairman,
H. B. PORTER,
J. WILES,
C. O'CONNER,
AARON CAHN.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
January 3, 1862.

Mr. Speaker:

I am instructed by the council to inform your honorable body, that the council has passed council bill No. 55. A bill for an act to incorporate the First Baptist Church of Nebraska City.

Also, council bill No. 5. An act to require the oath of allegiance for parties litigant. The concurrence of the house is respectfully solicited.

I am also instructed to return you house file No. 122. A bill vacating certain blocks in Cuming City, Washington county, Nebraska Territory, the same having passed the council without amendment.

ROBT. W. FURNAS, Chief Clerk.

Mr. Leaming of Burt, introduced house file No. 157. A bill for an act to contract and vacate a portion of the town site of Tekama.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on county boundaries and county seats.

Mr. Barnard of Dodge, introduced house file No. 158. A bill for an act relative to weights and measures.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on agriculture.

Also, house file No. 159. A bill for an act to define the southern boundary of the county of Dodge.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on county boundaries and county seats.

Council bill No. 84. (Substitute.) A bill for an act to reapportion and define the councilman districts.

Read first time.

Mr. Reck of Platte, moved that the rules be suspended, and the bill be read a second time by its title, upon which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allgawahr, Barnum, Barnard, Beall, Birchfield, Blakely, Buchanan, Butler, Chalfant, Closser, Crothers, Crow, Croxton, Eikenberry, Ewing, Hagaman, Holladay, Larsh, McLaughlin, O'Conner, Porter, Reck, Reynolds, Reed, Wattles, and Wiles—26.

Nays—Messrs. Allen, Bates, Bowen, Cahn, Clark of Douglas, Davis, Griffin, Leaming, Rowles, and Seymour—10.

Carried.

Read second time.

Mr. Reck moved the bill be referred to the committee of the whole house for this afternoon, at three o'clock.

Call of the house demanded, and had.

Absent—Messrs. Chapin and Seymour.

Mr. Allen of Washington, moved that the sergeant-at-arms be sent after absentees.

Lost.

Mr. Reck of Platte, moved that all further proceedings of the call of the house be dispensed with.

Carried.

Question recurring on Mr. Reck's motion, the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allgawahr, Barnum, Beall, Birchfield, Blakely, Buchanan, Butler, Chalfant, Closser, Crothers, Crow, Croxton, Eikenberry, Ewing, Holladay, Larsh, Porter, Reck, Reynolds, Reed, and Wiles—21.

Nays—Messrs. Allen, Barnard, Bates, Bowen, Cahn, Clark of Douglas, Clarke of Sarpy, Davis, Griffin, Hagaman, Leaming, McLaughlin, O'Conner, Rowles, Seymour, and Wattles—16.
Lost.

Mr. Holladay of Nemaha, moved the house now go into committee of the whole, on said bill.

Mr. Seymour of Douglas, moved the house adjourn.

Ayes and nays were demanded, with the following result:
Ayes—Messrs. Allen, Bates, Cahn, Clark of Douglas, Davis, Griffin, Leaming, Seymour, and Wattles—9.
Nays—Messrs. Allgawahr, Barnum, Barnard, Beall, Birchfield, Blakely, Bowen, Buchanan, Butler, Chalfant, Closser, Clarke of Sarpy, Crothers, Crow, Croxton, Eikenberry, Ewing, Hagaman, Holladay, Larsh, McLaughlin, O'Conner, Porter, Reck, Reynolds, Reed, Rowles, and Wiles—28.
So the house refused to adjourn.
The question recurring on the motion to go into committee of the whole, it was carried, and the house went into committee of the whole, Mr. Butler in the chair; after some time spent therein, the committee arose, and at the hour of 12½ o'clock, M., took a recess until 2½ o'clock, P. M.

AFTERNOON SESSION—2½ O'CLOCK.

House met and resumed business.
Call of the house demanded.
Absent—Messrs. Allen, Bates, Croxton and Wattles.

Mr. Reck of Platte, moved that all further proceedings, under the call of the house, be dispensed with.
Carried.

Mr. Clark of Douglas, moved that house file No. 60, be taken up.
Lost.

Mr. Butler of Pawnee, submitted the following report, as chairman of the committee of the whole:

Mr. Speaker:
Your committee beg leave to report back to the house, house file No. 84. A bill for an act to apportion and define councilmen districts. The committee having been dissolved by rule of the house, requiring it to adjourn at 12½ o'clock, P. M.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
January 3, 1862.

Mr. Speaker:

I am instructed by the council to inform your honorable body that the council has passed council bill No. 50. A bill for an act to appropriate five hundred dollars to resurvey certain lands known to be saline, in Lancaster county, and for other purposes.

Also, council bill No. 41. A bill to authorize sheriffs to serve and return process issued by probate judges and justices of the peace. The concurrence of the house is respectfully requested.

ROBT. W. FURNAS, Chief Clerk.

Mr. Butler of Pawnee, moved the house go into committee of the whole on house file No. 84; pending which the following message was received from the governor:

EXECUTIVE CHAMBER,
January 3, 1862.

Mr. Speaker:

I am directed by the governor to inform your honorable body that he has signed and approved the following bills:

An act to restrain sheep and swine from running at large, in Cuming City precinct, Washington county, Nebraska Territory.

An act to provide for the assessment of the real and personal property, and for the collection of taxes, in the county of Jones, Nebraska Territory.

An act to authorize H. W. Summerlad and George Walther, to keep a ferry across the Missouri river, at Arago, Richardson county, Nebraska Territory.

E. P. BREWSTER, Private Secretary.

Call of the house demanded.

Absent—Messrs. Bates and Clarke of Sarpy.

Mr. Seymour moved that the sergeant-at-arms be dispatched for absentees.

The chair decided that it required a majority of those present to dispatch the sergeant-at-arms for absentees.

From this decision, Mr. Seymour of Douglas, took an appeal, and insisted that five members may at any time compel attendance of absentees, under a call of the house.

The question being, "Shall the decision of the chair stand, as the decision of the house? Upon which, the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allgawahr, Barnum, Beall, Birchfield, Blakely, Buchanan, Butler, Chapin, Chalfant, Closser, Crothers, Crow, Eikenberry, Ewing, Hagaman, Holladay, Larsh, Porter, Reck, Reed, and Wiles—21.

Nays—Messrs. Allen, Barnard, Bowen, Cahn, Clark of Douglas, Clarke of Sarpy, Croxton, Davis, Griffin, Leaming, McLaughlin, O'Conner, Reynolds, Rowles, Seymour, and Wattles—16.

So the decision of the chair was sustained.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
January 3, 1862.

Mr. Speaker:

I am instructed by the council to inform your honorable body that the council have passed council bill No. 13. A bill for an act to amend the eighteenth section of the election laws of 1856, and the second section of the election law of 1857. The concurrence of the house is respectfully requested.

I am also instructed to inform you that the council have passed house file No. 71. A bill to locate a territorial road from Fort Calhoun, Washington county, to the north part of Kelly's precinct.

Also, house file No. 83. A bill to establish a territorial road from Fort Calhoun to Elkhorn City, and to change the location of a part of the territorial road from Omaha to Fontenelle.

Also, house file No. 19. A bill for an act relative to the herding of stock, in the county of Dodge.

Also, house file No. 101. A bill for an act to amend an act to locate a territorial road from Decatur to Columbus.

Also, house file No. 29. A bill for an act to locate a territorial road from Omaha to Bellevue, the same having passed the council without amendment.

ROBT. W. FURNAS, Chief Clerk.

Mr. Butler of Pawnee, moved that all further proceedings, under the call, be dispensed with.

Carried.

The question recurring on the motion to go into committee of the whole, it was carried; and the house went into committee of the whole, Mr. Butler of Pawnee, in the chair; after some time spent therein, the committee arose, reported the bill back to the house, having made progress thereon, and asked leave to sit again.

Leave granted.

Mr. Holladay of Nemaha, submitted the following reports:

Mr. Speaker:

The committee on engrossed and enrolled bills, report the following bills as engrossed correctly:

House file No. 134. A bill for an act to locate a territorial road.

House file No. 68. A bill for an act to amend an act entitled an act to authorize the sale of the cast iron of the Territory of Nebraska.

House file No. 91. An act to establish a ferry at the north fork of Platte river.

House file No. 117. A bill for an act to authorize Martin Tousley to keep a mill-dam across Wood river.

House file No. 143. Preamble and joint resolution relative to the protection of the frontier. A. S. HALLADAY, Chairman.

Mr. Speaker:

The committee on engrossed and enrolled bills, have this day presented the following bills to the governor (correctly enrolled) for his signature:

An act to provide for the assessment of the real and personal property, and for the collection of taxes in the county of Jones, Territory of Nebraska.

An act to authorize H. W. Summerlad and George Walther, to keep a ferry across the Missouri river at Arago, Richardson county, Nebraska Territory.

An act to restrain cattle, sheep and swine from running at large in Cuming precinct, Washington county, Nebraska Territory.

A. S. HOLLADAY, Chairman.

On motion of Mr. McLaughlin of Dakota, the house at 5 o'clock P. M. adjourned.

GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Saturday, January, 4, 1862.

House met pursuant to adjournment.
Speaker in the chair.
Prayer by the Rev. Mr. Miller.
Roll called.
Absent—Messrs. Allen and McLaughlin.
Journal read and approved.

Mr. Clark of Douglas, gave notice of a bill for an act for the publication of the general laws of the present session, in the newspapers of the territory.

Resolution relative to the introduction of bills, was taken up.

Mr. Butler moved, to amend, by inserting no bills of a "local nature."

Lost.

Resolution rejected.

Mr. Reynolds of Otoe, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred Council bill No. 14. An act to amend an act entitled an act to amend an act to consolidate the corporations of Nebraska City, South Nebraska City and Kearney City, and to incorporate Nebraska City, having had the same under consideration, beg leave to report it back to the house with a certain amendment thereto attached.

MILTON W. REYNOLDS,
Chairman Committee.

Mr. Holladay of Nemaha, submitted the following report:

Mr. Speaker:

The committee on engrossed and enrolled bills, report as correctly engrossed:

House file No. 103. A bill for an act to authorize William F. Bailey, to keep a mill dam across Noheart creek, in Washington county.

House file No. 140. A bill for an act to incorporate the Rock Bluff Literary Society.

House file No. 129. Memorial and joint resolution relative to a mail route from Dakota City to Fort Kearney.

House file No. 94. A bill for an act to reorganize the county of Buffalo, and provide for the appointment of county commissioners.

House file No. 115. A bill for an act to amend the estray law.

A. S. HOLLADAY, Chairman.

Mr. Wattles of Sarpy, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 148. A bill for the suppression of counterfeit and worthless bank notes, having had the same under consideration, beg leave to report it back to the house, and recommend its passage.

STEPHEN H. WATTLES,
WM. BUCHANAN,
WM. S. REED.

Mr. Croxton of Otoe, submitted the following reports:

Mr. Speaker:

Your committee, to whom was referred council bill No. 7. An act to repeal subdivision "B" of the criminal code, and for other purposes, beg leave to report the same back without recommendation.

Also, house file No. 92. A bill for an act to provide for the liquidation of county taxes in certain contingencies, with a recommendation that the same do not pass.

Also, house file No. 52. An act to legalize the assessment and collection of taxes for the years 1859, 1860 and 1861, without recommendation. All of which is respectfully submitted.

JOHN H. CROXTON,
Chairman of ways and means.

Mr. Speaker:

Your committee, to whom was referred house file No. 135. To amend an act entitled an act to incorporate Bellevue City. Approved March 15, 1855, beg leave to report the same back to the house, without recommendation. Respectfully submitted.

JOHN H. CROXTON, Chairman.

Mr. Davis of Douglas, submitted the follow report:

Mr. Speaker:

Your committee, to whom was referred house file No. 157. A bill for an act to contract and vacate a portion of the town site of Tekama, beg leave to report the same back without recommendation.

O. F. DAVIS, Chairman.

Your committee, to whom was referred house file No. 159. A bill for an act to define the southern boundary of the county of Dodge, beg leave to report the same back, and recommend its passage.

O. F. DAVIS, Chairman.

Mr. Chapin of Cass, submitted the following report:

Mr. Speaker:

The committee on mines and minerals, to whom was referred house file No. 136. A bill for an act to encourage the manufacture of salt, report the same back, and recommend its passage.

W. F. CHAPIN, Chairman.

Mr. Reck of Platte, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 149. A bill for an act to provide for copying the journals of the council and house of representatives, for the eighth session of the legislative assembly, have had the same under consideration, and respectfully report the same back with recommendations that it should pass.

John Reck,
J. Chalfant,
H. B. Porter,
S. T. Leaming,
N. Blakely.

Mr. Griffin of Douglas, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 158. Relative to weights and measures, have had the same under consideration, and report the same back with certain amendments attached thereto, and recommend its passage.

Joel T. Griffin, Chairman.

Mr. Seymour of Douglas, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 150. Joint resolution relative to the union, report the same back without recommendation.

J. H. Seymour, Chairman.

House file No. 19. A bill for an act relative to the herding of cattle in the county of Dodge, was taken up.

Amendments of council concurred in.

Mr. Barnard of Dodge, introduced house file No. 160. A bill for an act to amend an act defining the duties of county commissioners and county clerks.

Read first time.

Rules suspended. Bill read a second time by its title, and referred to committee on judiciary.

Mr. Wattles of Sarpy, introduced house file No. 161. A bill for an act granting a ferry charter to Aug. Kountze.

Rules suspended. Bill read first and second time by its title, and referred to committee on corporations.

Mr. Barnard of Dodge, introduced house file No. 162. A bill for an act fixing the time for holding the district court in the first judicial district.

Read first time.

Rules suspended. Bill read a second time by its title, and referred to committee on judiciary.

Mr. Reynolds of Otoe, introduced house file No. 163. A bill for an act for the relief of S. V. Niles.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on schools.

Mr. Wattles of Sarpy, introduced house file No. 164. A bill for an act to amend an act to establish a ferry across the Platte and Elkhorn rivers, in Sarpy county.

Read first time.

Rules suspended. Bill read second and third time by its title.

Bill passed and title agreed to.

Mr. Closser of Otoe, introduced house file No. 165. A bill for an act to vacate the streets and alleys west of Fourteenth street, in Hail & Co.'s addition to Nebraska City.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on corporations.

Mr. Seymour of Douglas, offered the following resolution:

Resolved, That the committee on ways and means be directed forthwith to bring in a bill providing for the payment of such officers of the house, as are not paid by the general government.

Laid over under the rule.

Mr. Davis of Douglas, on leave, introduced house file No. 166. A bill for an act to define the boundaries of Gage county.

Read first time.

Rules suspended. Bill read second time by its title.

Mr. Reck, on leave, introduced house file No. 167. A bill for an act for the relief of John Rickley.

Read first time.

Rules suspended. Bill read second time by its title and referred to committee on accounts and expenditures.

Council bill No. 5. A bill for an act to require oath of allegiance of litigants, was taken up.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Council bill No. 13. A bill for an act to amend the tenth section of the election law of 1856, and second section of 1857, was taken up.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on elections.

Council bill No. 41. A bill for an act to authorize sheriffs to serve and return processes, issued by probate judges and justices of the peace, was taken up.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Council bill No. 50. A bill for an act to appropriate five hundred dollars to resurvey certain lands, known to be saline, in Lancaster county, and for other purposes, was taken up.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on mines and minerals.

Council bill No. 52. A bill for an act to authorize the commissioners of Richardson county to draw orders, was taken up.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Council bill No. 55. A bill for an act to incorporate the first Baptist church, in Nebraska City, was taken up.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on corporations.

Mr. Allen of Washington, on leave, presented the petition of Thomas M. Carter, and fifty-one others, in relation to amending the revenue law, so as to allow Washington county to raise a higher rate of tax.

Read and referred to committee on judiciary.

Council bill No. 63. Memorial and joint resolution relative to the military condition and necessities of the Territory of Nebraska, was taken up.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on military.

House file No. 50. A bill for an act to restrain stock from running at large in Lancaster county, and portion of Cass county, was taken up.

Ordered to be engrossed for a third reading to-morrow.

House file No. 58. A bill for an act to create a lien in favor of mechanics, was taken up.

Mr. Leaming moved the bill be indefinitely postponed.

Call of the house demanded.

Absent—Messrs. Clarke of Sarpy and Wattles.

Messrs. Clarke of Sarpy, and Wattles, having appeared within the bar, all further proceedings under the call of the houe were dispensed with.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
January 4, 1862.

Mr. Speaker:

I am instructed by the council to inform your honorable body that the council have passed council bill No. 61. An act to authorize suits to be brought by and against executors and administrators of deceased persons.

Also, council bill No. 69. Joint resolution in favor of Isham Reavis and Frederick Renner. The concurrence of the house is respectfully solicited. ROBT. W. FURNAS, Chief Clerk.

Question recurring on the motion to indefinitely postpone, the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allen, Beall, Bowen, Cahn, Chapin, Chalfant, Clark of Douglas, Clarke of Sarpy, Croxton, Davis, Eikenberry, Griffin, Hagaman, Holladay, Leaming, Rowles, Seymour, and Wiles—18.

Nays—Messrs. Allgawahr, Barnum, Birchfield, Blakely, Buchanan, Butler, Closser, Crothers, Ewing, Larsh, McLaughlin, O'Conner, Porter, Reck, Reynolds, Reed, and Wattles—17.

So the bill was indefinitely postponed.

House file No. 77. A bill for an act to define legal publications, was taken up.

Ordered to be engrossed for a third reading to-morrow.

House file No. 99. A bill for an act to repeal a portion of section one, of chapter five, of an act providing for the settlement of estates of decedents, passed January 11, 1861, was taken up.

Read third time.

Bill passed, and title agreed to.

House file No. 66. A bill for an act to regulate the general assembly of Nebraska, was taken up.

Mr. Butler of Pawnee, moved that the bill be made a special order for Monday next, at 2½ o'clock, P. M.

Carried.

House file No. 85. A bill for an act regulating elections, was taken up.

Mr. McLaughlin of Dakota, moved that the bill be made a special order for this afternoon.

Lost.

Mr. Croxton of Otoe, moved that it be made a special order for Tuesday next, at 11 o'clock, P. M.

Carried.

House file No. 104. A bill for an act to amend the last clause of section fourteen, relating to sheriff's fees, was taken up.

On motion, ordered to be engrossed for a third reading tomorrow.

House file No. 107. A bill for an act fixing the rates of toll for grinding, was taken up.

Mr. Bates of Dakota, moved to amend so that steam mills be allowed one-fifth, and water mills one-sixth, for grinding.

Lost.

Mr. Butler of Pawnee, moved to amend so as to allow one-fifth part to all mills for grain, ground and bolted, and one-sixth part for grain ground and not bolted.

Mr. McLaughlin of Dakota, moved that the bill and amendments be laid on the table, upon which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Barnard, Bates, Beall, Bowen, Cahn, Chapin, Chalfant, Closser, Clark of Douglas, Davis, Eikenberry, Ewing, Griffin, Hagaman, Holladay, Leaming, McLaughlin, O'Conner, Porter, Reck, Reed, and Seymour—22.

Nays—Messrs. Allgawahr, Allen, Barnum, Birchfield, Blakely, Buchanan, Butler, Clarke of Sarpy, Crothers, Crow, Croxton, Larsh, Reynolds, Rowles, Wattles and Wiles—16.

So it was laid on the table.

House file No. 110. A bill for an act to dissolve the bonds of matrimony between George Bartlett and Jerusha Bartlett, was taken up.

Mr. Griffin of Douglas, moved that the bill be indefinitely postponed; pending which, the hour of 12½ o'clock, M., having arrived, the house took a recess until 2½ o'clock, P. M,

AFTERNOON SESSION—2½ O'CLOCK.

House met and resumed business.

The question recurring on the motion to indefinitely postpone house file No. 110, A bill for an act to dissolve the bonds of matrimony between George Bartlett and Jerusha Bartlett. The ayes and nays were demanded, with the following result:

Ayes—Messrs. Allgawahr, Barnum, Birchfield, Chalfant, Closser, Croxton, Davis, Eikenberry, Ewing, Griffin, Holladay, McLaughlin, Reck, Reed, and Wiles—15.

Nays—Messrs. Allen, Barnum, Bates, Beall, Blakely, Bowen, Buchanan, Butler, Cahn, Chapin, Clarke of Sarpy, Crothers, Crow, Hagaman, Larsh, Leaming, O'Conner, Porter, Reynolds, Rowles, Seymour, and Wattles—22.

Lost.

Mr. Seymour of Douglas, moved that the testimony, relative to the above case, be read.

Lost.

Mr. Clarke of Sarpy, moved that the further consideration of the bill be postponed, and that it be made a special order for Tuesday next, at 11 o'clock, A. M., of that day, upon which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allgawahr, Barnum, Barnard, Birchfield, Blakely, Buchanan, Chapin, Chalfant, Closser, Clarke of Sarpy, Croxton, Davis, Eikenberry, Ewing, Griffin, Holladay, McLaughlin, Reck, Reed, and Wiles—20.

Nays—Messrs. Allen, Bates, Beall, Bowen, Butler, Cahn, Crothers, Crow, Hagaman, Larsh, Leaming, O'Conner, Porter, Reynolds, Rowles, Seymour, and Wattles—17.

So the motion was carried, and the bill was postponed.

House file No. 62. A bill for an act to legalize the tax levy of 1859, 1860, and 1861, for Nebraska Territory, was taken up.

Mr. Clarke of Sarpy, moved that the rules be suspended, and the bill read a third time now.

Lost.

Laid over under the rule.

Mr. Holladay of Nemaha, moved that the house take up house file No. 26. Memorial and joint resolution relative to diverting the annual appropriation to defray the legislative expenses, and for other purposes, upon which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allgawahr, Barnum, Barnard, Birchfield, Buchanan, Butler, Chapin, Chalfant, Closser, Clarke of Sarpy, Crothers, Crow, Croxton, Eikenberry, Ewing, Griffin, Hagaman, Holladay, Larsh, McLaughlin, O'Conner, Porter, Reck, Reynolds, Reed, Rowles, Seymour, Wattles, and Wiles—29.

Nays—Messrs. Allen, Beall, Blakely, Bowen, Cahn, Davis, and Leaming—7.

So the motion was carried, and the bill taken up.

Mr. Griffin of Douglas, moved that the bill be indefinitely postponed, upon which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allgawahr, Barnard, Bates, Beall, Bowen, Cahn, Croxton, Davis, Eikenberry, Griffin, Leaming, O'Conner, Rowles, and Wattles—14.

Nays—Messrs. Barnum, Birchfield, Blakely, Buchanan, Butler, Chapin, Chalfant, Closser, Clark of Douglas, Clarke of Sarpy, Crothers, Crow, Ewing, Hagaman, Holladay, Larsh, Porter, Reck, Reynolds, Reed, Seymour, and Wiles—22.

Lost.

Mr. Clarke of Sarpy, moved that the rules be suspended, and the bill be read a third time now.

Call of the house demanded.

Their being no absentees, on motion, all further proceedings under the call, be dispensed with.

Mr. Seymour of Douglas, moved to amend by striking out all of line sixteen, after the word memorialists; all of line seventeen except the words "propose," and "therefore;" and in line eighteen strike out the words, "to defray the expenses of," and to insert "to dispense with.

Lost.

Call of the house demanded.

Absent—Mr. McLaughlin.

Mr. McLaughlin having appeared within the bar of the house, on motion, all further proceedings under the call, were dispensed with.

The question recurring on the motion to suspend the rules, for a third reading now, the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allgawahr, Barnum, Barnard, Bates, Beall, Birchfield, Blakely, Butler, Chapin, Chalfant, Closser, Clark of Douglas, Clarke of Sarpy, Crothers, Crow, Eikenberry, Ewing, Griffin, Hagaman, Holladay, Larsh, Leaming, McLaughlin, O'Conner, Porter, Reck. Reed, Reynolds, Rowles, Seymour, Wattles, and Wiles—32.

Nays—Messrs. Allen, Bowen, Buchanan, Cahn, Croxton, and Davis—6.

Carried.

Read third time.

The question being on its passage, the ayes and nays were demanded, with the following result:

Ayes—Messrs. Barnum, Birchfield, Blakely, Buchanan, Butler, Closser, Clark of Douglas, Hagaman, Holladay, Larsh, Porter, Reynolds and Wiles—13.

Nays—Messrs. Allgawahr, Allen, Barnard, Bates, Beall, Bowen, Cahn, Chapin, Chalfant, Clarke of Sarpy, Crothers, Crow, Croxton, Davis, Eikenberry, Ewing, Griffin, Leaming, McLaughlin, O'Conner, Reck, Reed, Rowles, Seymour and Wattles—25.

Lost.

Mr. McLaughlin of Dakota, moved that the house adjourn.

Lost.

House file No. 114. A bill for an act for the regulation and continuance of a system of education by common schools, was taken up.

On motion, the house resolved itself into committee of the whole on said bill.

Mr. Chapin of Cass, in the chair.

After sometime spent therein, the committee arose, reported the bill back to the house, having made progress therein, and asked leave to sit again.

Leave granted.

Council bill No. 61. A bill for an act to authorize suits to be brought by and against executors and administrators of deceased persons, was taken up.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Council bill No. 69. Joint resolution in favor of Isham Reavis and Frederick Renner, was taken up.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on accounts and expenditures.

On motion, the house at 4½ o'clock P. M., adjourned.

GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Monday, January 6, 1862.

House met pursuant to adjournment.
Speaker in the chair.
Prayer by the chaplain.
Roll called.
Absent—Messrs. Clarke of Sarpy, Leaming and McLaughlin.
Journal read and approved.

Mr. Griffin of Douglas, gave notice of a bill for an act authorizing Geo. E. McKinsey to erect a mill dam across Papillion creek, Douglas county.

Mr. Clark of Douglas, offered the following preamble and resolution:

Whereas, in obedience to the call of their adopted country, many of the patriotic German and Irish citizens of Nebraska have shouldered the musket, and gone forth to fight in defence of the constitutional government of the country.

And whereas, many of these patriotic men have families dependent upon them for support, and were unable to leave them comfortably provided for; and that during the present winter many of their wives and children left among us have come to want and distress, because of sickness, and the failure of the United States to pay her soldiers as promptly as the necessities of their families demand.

And whereas, it is the duty of the Territory of Nebraska to support the wives and children of such of her sons as are absent upon the battle fields of our common country, and periling life and limb in defence of the government against *treason;* therefore, be it

Resolved, That the committee on expenditures be instructed to report without delay a bill for the relief of the families of soldiers, by appropriating not less than $2,000, to be deposited in proportional sums with the mayors of Omaha, Plattsmouth, Nebraska City and Brownsville, to be expended according to the provisions of law, for the relief of all families of soldiers of the Nebraska cavalry and infantry now on duty, and containing a provision by which other sums can be appropriated from time to time, in case they shall be found necessary after the first has been exhausted.

Resolved, That the Territory of Nebraska respects the devotion of those of her sons of foreign birth who have so generously gone forth to fight her battles; that she is proud of their strong arms and heroic self-denial, and recognizes the obligation imposed upon her by the distress of those left in her protection, and will shield from want, as well as from insult and injury, the wives and children of her gallant soldiers who are holding aloft the banner of the territory, together with the other emblems whose stars are the symbols of our common country.

Mr. Clark of Douglas, moved the rules be suspended and resolution put upon its passage.
Carried.
Rules suspended.

Mr. Seymour of Douglas, moved to strike out "Irish and German," and insert "patriotic citizens."
Carried.

Mr. McLaughlin of Dakota, moved to amend, by inserting "Dakota City" after the word Brownsville.
Carried.

Mr. Allen of Washington, moved to amend, by inserting after the word Dakota City, "clerk of Washington county."
Carried.

Mr. Griffin of Douglas, moved to amend, by inserting "with the county clerks of the several counties of this territory, in proportion to the number of volunteers furnished by each county."
Carried.

Mr. Seymour of Douglas, moved to strike out the words "foreign birth."
Carried.

Mr. Allen of Washington, moved the resolution be adopted as amended.

On this motion, Mr. Blakely of Gage, demand the previous question.
Previous question seconded.

The question being, "shall the main question be now put?" it was carried, and the main question ordered.

The question recurring on the passage of the resolution, the ayes and nays were demanded, with the following result:
Ayes—Messrs. Allgawahr, Allen, Barnum, Barnard, Bates, Beall, Buchanan, Butler, Cahn, Closser, Clark of Douglas, Crothers, Davis, Eikenberry, Ewing, Griffin, Hagaman, Holladay, McLaughlin, O'Conner, Porter, Reck, Reynolds, Reed, Rowles, Seymour and Wiles—27.
Nays—Messrs. Birchfield, Blakely, Bowen, Chapin, Chalfant, Crow, Croxton, Larsh and Wattles—9.
Resolution adopted.

Mr. Bowen, from the joint committee on the financial system, made the following report:

Mr. Speaker:

The joint committee appointed to revise the financial system, have instructed me to report by bill, as follows: An act to provide for the ordinary expenses of the territory, and other general and specific appropriations.

Also, An act relative to territorial officers.

Also, An act to provide revenue, and for other purposes.

Respectfully submitted. JOHN S. BOWEN, Chairman.

Mr. Holladay of Nemaha, submitted the following:

Mr. Speaker:

The committee on engrossed and enrolled bills, report the following bills correctly enrolled: An act to confirm the title of Lucinda Monell to certain real estate in the city of Omaha, and Territory of Nebraska.

An act vacating certain blocks in Cuming City, Washington county, Nebraska Territory.

An act to change the time of the meeting of legislature.

An act to locate a territorial road from Omaha to Bellevue.

An act to establish a territorial road from Fort Calhoun to Elkhorn City, and to change the location of a part of the territorial road from Omaha to Fontenelle.

An act relative to the herding of stock in the county of Dodge.

An act to amend an act to locate a territorial road from Decatur to Columbus.

An act to locate a territorial road from Fort Calhoun, Washington county, to the north part of Kelly's precinct, in Douglas county.

An act to locate and establish a territorial road from Dakota City to Fort Kearney, or some point on Platte river at or near Fort Kearney. A. S. HOLLADAY, Chairman.

Mr. Holladay of Nemaha, submitted the following report:

Mr. Speaker:

The committee on engrossed and enrolled bills, have this day handed the governor for his signature: An act to confirm the title of Lucinda Monell to certain real estate in the city of Omaha, and Territory of Nebraska.

An act to locate and establish a territorial road from Dakota City to Fort Kearney, or some other point on Platte river at or near Fort Kearney.

An act to locate a territorial road from Fort Calhoun, Washington county, to the north part of Kelly's precinct, in Douglas county.

An act to amend an act to locate a territorial road from Decatur to Columbus.

An act relative to the herding of stock in the county of Dodge.

An act to establish a territorial road from Fort Calhoun to Elkhorn City, and to change the location of a part of the territorial road from Omaha to Fotenelle.

An act to locate a territorial road from Omaha to Bellevue.

An act to change the time of the meeting of the legislature.

An act vacating certain blocks in Cuming City, Washington county, Nebraska Territory.

A. S. HOLLADAY, Chairman.

Mr. Reck of Platte, submitted the following report:

Your committee, to whom was referred house file No. 167. A bill for relief of John Rickley.

Also, council bill No. 69. Joint resolution in favor of Isham Reavis and Frederick Renner, having considered the same, beg leave to report the same back and recommend its passage.

JOHN RECK,
J. CHALFANT,
H. B. PORTER,
N. BLAKELY.

Mr. Clark of Douglas, submitted the following report:

Mr. Speaker :

Your committee, to whom was referred house file No. 152. A bill for an act to amend an act entitled an act to consolidate the corporations of Nebraska City, South Nebraska City and Kearney City, and to incorporate Nebraska City, approved January 7, 1861; having had the same under consideration, respectfully beg leave to report the same back, and recommend its passage.

Your committee would also add, that the passage of a general law providing that all monies levied and collected in the several counties of the territory for school purposes, be disbursed therein, for the maintenance of a system of common schools under the present law, would be of much more benefit to the counties; that while it would not effect the general provisions of the school law, it would place the funds so collected immediately into the hands of the counties, and thus avoid the great delay incident to the returns required to be made by county treasurers to the territorial treasurer, and thereafter to be apportioned to the counties.

Among the reasons why your committee would recommend this change in the present law, is, that under the present system, county treasurers who are required to make their returns of school monies to the territorial treasurer within a specified time, do not comply with the laws; and the money which ought to be used for school purposes is virtually "locked up," or diverted from its legitimate purpose.

The languishing condition of our schools throughout the territory is mainly attributable to this neglect on the part of officers, and while there is a large territorial school fund now in the hands of county treasurers, and not returned, amounting from fifteen to twenty thousand dollars, yet our people have been compelled to maintain at great expense a system of select schools, in the larger cities and towns, in order to give our youth the benefit of any training, or instruction, in the common English branches.

Up to this time, as your committee are reliably informed, but one county treasurer has made any returns of school monies collected for the years 1859, 1860 and 1861; your committee would therefore recommend the passage of a bill at the present session, giving to each county the custody and disposal of its own school funds, believing, that it would have the effect of relieving the embarrassment in which the present school system is placed. All of which is respectfully submitted.

M. H. CLARK, Chairman.

Mr. Crow of Nemaha, submitted the following report:

Your committee on privileges and elections, to whom was referred council bill No. 13. Have had the same under consideration, and ask leave to report the same back to the house without recommendations.

GEO. CROW, Chairman.
H. B. PORTER,
C. O'CONNER.

Mr. Holladay submitted the following report:

Mr. Speaker:

The committee on engrossed and enrolled bills, beg leave to submit the following bills, as correctly engrossed:

House file No. 50. A bill for an act to restrain stock from running at large in Lancaster county; also, that portion of Cass county west of the range line, dividing range ten and eleven.

House file No. 77. A bill for an act to define legal publications.

House file No. 104. A bill for an act to amend the last clause of section fourteen, relating to sheriff's fees.

A. S. HOLLADAY, Chairman.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
January 6, 1862.

Mr. Speaker:

I am instructed by the council to inform your honorable body, that the council have passed council bill No. 73. An act to repeal the fifty-first section of an act entitled an act, providing for the better regulation of schools in Nebraska.

Also, a memorial and joint resolution relative to a mail route from Plattsmouth to Fort Kearney. The concurrence of the house is respectfully requested.

ROBT. W. FURNAS, Chief Clerk.

Mr. Chapin of Cass, submitted the following report:

Mr. Speaker:

The committee on mines and minerals, to whom was referred council bill No. 50. An act to appropriate five hundred dollars to re-survey certain lands, known to be saline, in Lancaster county, and for other purposes, report the same back, and recommend its passage.

W. F. CHAPIN, Chairman.

Mr. Bowen from the committee on the militia, made the following report:

Mr. Speaker:

Your committee having had under consideration house file No. 63. Memorial and joint resolution relative to the military condition and necessities of the Territory of Nebraska, beg leave to report the same as committed, and recommend its passage. Respectfully.

JOHN S. BOWEN, Chairman.

Mr. Wattles of Sarpy, submitted the following report:

Mr. Speaker:

Your committee, in obedience to instructions from the house as expressed by the adoption of resolutions upon the subject of banks and banking corporations, have had the same under careful consideration, and deem it advisable that this legislature take some action on the subject, and pass some law by which all banks of this territory not doing business strictly in accordance with their charter, or that may be hereafter revived under some form or color of law, may be proceeded against by the territory, by information on the part of the proper officer appointed for that purpose.

In view of the importance of this subject to the people of the territory, your committee have instructed me to report to the house a bill upon the subject mentioned herein, and recommend its passage.

S. H. WATTLES, Chairman.

Mr. Wattles, from special committee, submitted the following report:

Mr. Speaker:

Your special committee, to whom was referred house file No. 154. A bill for an act to dissolve the bonds of matrimony between Ann Davis and George William Davis.

Also, house file No. 155. A bill for an act to dissolve the bonds of matrimony between George W. Danes and Louisa Danes, have had the same under consideration, and report the same back without amendment, and recommend their passage.

S. H. WATTLES, Chairman.

Mr. Bowen of Washington, chairman of the finance committee, introduced house file No. 168. A bill for an act to provide for the ordinary expenses of the territory, and for other general and specific appropriations.

Read first time.

Rule suspended. Bill read a second time by its title.

Mr. Allen of Washington, moved to amend, by striking out the words "for the salary of the territorial commissioner of common schools for the same period, six hundred dollars."

Call of the house demanded.

Absent—Messrs. Beall, Clarke of Sarpy, Griffin, Leaming and Wattles,

Sergeant-at-arms dispatched after them.

Messrs. Beall, Clarke of Sarpy, Griffin, Leaming and Wattles appearing within the bar of the house, on motion, all further proceedings under the call of the house were dispensed with.

The question recurring on the motion to strike out, the ayes and nays were demanded with the following result:

Ayes—Messrs. Allen, Barnum, Birchfield, Buchanan, Chapin, Chalfant, Closser, Clark of Douglas, Eikenberry, Holladay, McLaughlin, O'Conner, Reynolds, Rowles and Wiles—15.

Nays—Messrs. Allgawahr, Barnard, Bowen, Butler, Cahn, Crothers, Crow, Croxton, Davis, Ewing, Hagaman, Larsh, Porter, Reck, Reed, Seymour, Wattles and Mr. Speaker—17.

Lost.

Mr. Allen of Washington, moved to strike out all of section three, pending which, the hour of 12¼ o'clock having arrived, the house took a recess.

AFTERNOON SESSION—2½ O'CLOCK.

House met and resumed business.

The question recurring on the motion to strike out section three.

Call of the house demanded.

Absent—Mr. Reynolds.

Mr. Reynolds appearing within the bar of the house, all further proceedings under the call were dispensed with.

The question being on the motion to strike out, the ayes and nays were demanded with the following result:

Ayes—Messrs. Allen, Barnum, Bates, Beall, Birchfield, Chapin, Clark of Douglas, Clarke of Sarpy, Crow, Eikenberry, Holladay, McLaughlin, O'Conner, Reck, Reynolds, Reed, Rowles and Wiles—18.

Nays—Messrs. Allgawahr, Barnard, Blakely, Bowen, Buchanan, Butler, Cahn, Chalfant, Closser, Crothers, Croxton, Davis, Ewing, Griffin, Hagaman, Larsh, Leaming, Porter, Seymour and Wattles—20.

Lost.

Mr. Allen of Washington, moved to amend by striking out "one hundred dollars" in section three, and insert "fifty dollars."

Carried.

Mr. Allen of Washington, moved to amend, by striking out "one hundred and fifty" in section — and insert "fifty dollars."

Carried.

Mr. Reck moved, to strike out section four.

Lost.

Mr. Allen of Washington, moved to amend, by inserting "twenty-five" in place of one hundred, in section four.

Lost.

Also, moved to amend, by inserting "fifty dollars."

Lost.

Mr. McLaughlin, moved a reconsideration on the vote, on which fifty dollars was inserted, in place of one hundred and fifty in section three.

Lost.

Mr. Clarke of Sarpy, moved to insert "two hundred dollars" in blank of section five, for pay of engrossing and enrolling clerks.

Carried.

Mr. Allen of Washington, moved to insert the word "five" in blank of section five, as pay of assistant engrossing and enrolling clerks.

Carried.

Mr. Barnard of Dodge, moved "two hundred and forty dollars" be filled in blank for fireman pay.

Carried.

Mr. Clarke of Sarpy, moved to fill blank for pay of each page by inserting "one hundred dollars."

Carried.

Mr. Bowen moved to add the following as a new section:

"The chief clerks of the council and house of representatives shall each be allowed the sum of two hundred dollars for copying and preparing the journals of their respective houses."

Carried.

On motion, the bill was ordered engrossed for a third reading to-morrow.

Mr. Allen of Washington, introduced house file No. 169. A bill for an act assigning district judges to their respective districts.

Read first time.

Rules suspended. Bill read second and third time by its title.

Bill passed and title agreed to.

Mr. Seymour of Douglas, introduced house file No. 170. A bill for an act relative to city finances.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on common schools.

Mr. Bowen of Washington, from committee on finance, introduced house file No. 171. A bill for an act relative to territorial officers.

Read first time.

Rules suspended. Bill read second time by its title, and made the special order for to-morrow at 11 o'clock.

Also, house file No. 172. A bill for an act to provide for the revenue, and other purposes.

Read first time.

Rules suspended. Bill read second time by its title, and made the special order for to-morrow at 2½ o'clock P. M.

Mr. Wattles of Sarpy, introduced house file No. 173. A bill for an act relative to banking corporations.

Read first time.

Rules suspended. Bill read second time by its title.

Mr. Bates of Dakota, introduced house file No. 174. A bill for an act to restrain hogs from running at large, in certain precincts in Dakota county.
Read first time.
Rules suspended. Bill read second and third time by its title.
Bill passed and title agreed to.

Mr. Griffin of Douglas, introduced house file No. 175. A bill for an act authorizing George E. McKinsey to erect a mill dam on Papillion creek, Douglas county.
Read first time.
Rules suspended. Bill read second and third time by its title.
Bill passed and title agreed to.

Mr. Clark of Douglas, introduced house file No. 176. A bill for an act to provide for the distribution of school money in the several counties of the territory.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on ways and means.

Mr. Holladay of Nemaha, introduced house file No. 177. A bill for an act for the better collection of fines and costs.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Council bill No. 73. An act to repeal the fifty-first section of an act entitled an act providing for the better regulation of schools in Nebraska, was taken up.
Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on schools.

Council bill No. 75. Memorial and joint resolution relative to certain mail routes, was taken up.
Bill read first, second and third time.
Bill passed and title agreed to.

On motion, the house at 5 o'clock P. M. adjourned.

GEO. L. SEYBOLT, Chief Cerk.

HOUSE OF REPRESENTATIVES,
Tuesday, January 7, 1862.

House met pursuant to adjournment.
Speaker in the chair.
Prayer by the chaplain.
Roll called.
Absent—Messrs Bates and Larsh.
Journal read, amended and approved.

Mr. Allen of Washington, submitted the following report:

Mr. Speaker:

The committee on judiciary have had under consideration house file No. 146. A bill for an act to fix the time for holding district court in the third judicial district.

Also, council bill No. 52. An act to authorize the county commissioners of Richardson county to draw orders, and report the same back, recommending their passage without amendment.

Also, house file No. 127, house file No. 139, house file No. 116, house file No. 131, and house file No. 151, which are reported back without recommendation.

Also, council bill No. 41. A bill for an act to authorize sheriffs to serve and return process issued by probate judges and justices of the peace.

Mr. Clark of Douglas, submitted the following report:

Mr Speaker:

Your committee, to whom was referred house file No. 170, A bill for an act relative to the city finances of Omaha, have had the same under consideration, and beg leave to report the same back without amendment, and recommend its passage.

M. H. CLARK, Chairman.
E. H. BARNARD,
D. McLAUGHLIN,
A. S. HOLLADAY,

Mr Griffin of Douglas, moved that house file No. 170, A bill for an act relative to the city finances of Omaha, be now taken up.

Lost.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
January 6, 1862.

Mr. Speaker:

I am instructed by the council to inform your honorable body that the council has passed council bill No. 51. A bill to suppress jayhawking. The concurrence of the house is respectfully requested.

I am also instructed to return you house file No. 123. A bill for an act to restrain horses, cattle, sheep and swine from running at large in Logan precinct, Washington county, Nebraska, the same having passed the council without amendment.

ROBT. W. FURNAS, Chief Clerk.

Mr. Croxton of Otoe, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 176, A bill for an act providing for the disbursement of school money within the several counties of the territory, beg leave to report the same, and recommend its reference to the committee on common schools.

JOHN H. CROXTON, Chairman.

Mr. Holladay of Nemaha, submitted the following report:

Mr. Speaker:

The committee on engrossed and enrolled bills report house file No. 168, An act to provide for the ordinary expenses of the territory, and others, general and special appropriations, as correctly engrossed. A. S. HOLLADAY, Chairman.

Mr. Reynolds submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 161, A bill for an act granting a ferry charter to Augustus Kountze, having had the same under consideration, beg leave to report it back to the house without recommendation. M. W. REYNOLDS, Chairman.

Your committee, to whom was referred house file No. 165, An act to vacate the streets and alleys west of Fourteenth street, in Hail & Co.'s addition to Nebraska City, beg leave to report the same back to the house, and recommend its passage.

M. W. REYNOLDS, Chairman.

Mr. Bowen of Washington, from the joint committee on the financial system, made the following report:

Mr. Speaker:

Your committee has instructed me to report to the house, house file No. 51. A bill to amend an act to allow the funding of the indebtedness of the territory, as committed, and to recommend its passage. Respectfully submitted. JOHN. S. BOWEN, Chairman.

Mr. Croxton of Otoe, on leave, introduced house file No. 178. A bill for an act to better define the duties of county clerks.
Read first time.
Rules suspended. Bill read second time by its title.

Mr. Clarke of Sarpy, on leave, introduced house file No. 179. A bill for an act to encourage the killing of wolves.
Read first time.
Mr. Reck of Platte, moved that the bill be laid on the table.
Carried.

Mr. Hagaman of L'Eau qui Court, on leave, introduced house file No. 180. Memorial and joint resolution, asking congress to remove the land office from Dakota City to Niobrara.
Read first time.

Mr. Hagaman of L'Eau qui Court, moved that the rules be suspended, and the memorial be read a second time now.
Carried.
Bill read second time by its title.

On motion, the bill was referred to a special committee, consisting of Messrs. Hagaman, Barnum and Butler.

Mr. Clark of Douglas, moved that house file No. 176. A bill for an act providing for the distribution of the school fund, within the several counties, be recommitted to the committee on schools.
Carried.

Mr. O'Conner of Dakota, on leave, introduced house file No. 181. A bill for an act to locate a territorial road from St. Johns, in Dakota county, to Galena, in Dixon county.
Read first time.

Mr. McLaughlin of Dakota, moved that the rules be suspended, and the bill be read a second time.
Lost.

Mr. Bowen of Washington, moved that the rule be suspended, so as to allow Mr. Allen to give notice of a bill.
Carried.

Mr. Allen of Washington, gave notice of a bill for an act to repeal the charter of the City of Fontenelle.

Mr. Clark of Douglas, introduced house file No. 182. A bill for an act to provide for the publication of the general laws of the eighth session of the legislative assembly, in the newspapers of this territory.

Read first time.
Rules suspended. Bill read second time by its title, and referred to committee on printing.

Council bill No. 51. A bill for an act to suppress jayhawking, was taken up.
Read first time.

Mr. Reck of Platte, moved to lay the bill on the table.
Lost.

On motion, the rules were suspended, and the bill read second time by its title.

Mr. Reynolds of Otoe, moved that the bill be referred to a special committee of three.

Mr. Allen of Washington, moved that the bill be referred to the committee on militia.

Mr. Seymour of Douglas, moved that the bill be referred to the committee of the whole house.

The question being on the motion to refer to the committee of the whole, it having preference under the rules, it was carried.

The following message was received from his excellency the governor, by the hands of his private secretary:

EXECUTIVE CHAMBER,
January 6, 1862.

Mr. Speaker:

I am directed by the governor to inform your honorable body, that the governor has signed and approved the following bills:
An act to confirm the title of Lucinda Monell, to certain real estate in the City of Omaha, in the Territory of Nebraska.
An act vacating certain blocks in Cuming City, Washington county, Nebraska Territory.
An act relative to the herding of cattle, in the county of Dodge.
An act to locate and establish a territorial road from Fort Calhoun, Washington county, to the north part of Kelly's precinct, in Douglas county.
An act to establish a territorial road from Fort Calhoun to Elkhorn City, and to change the location of a part of the territorial road from Omaha to Fontenelle.
An act to locate a territorial road from Omaha, in Douglas county, to Bellevue, in Sarpy county.

An act to amend an act, approved January 10, 1860, to locate a territorial road from Decatur to Columbus.

An act to change the time for the meeting of the legislature of the Territory of Nebraska.

An act to locate and establish a territorial road from Dakota City to Fort Kearney, or some point on the Platte river.

E. P. BREWSTER, Private Secretary.

Mr. Seymour of Douglas, moved that the house now resolve itself into committee of the whole on council bill No. 51. A bill for an act to suppress jayhawking.

Carried.

The house went into committee of the whole, Mr. Birchfield of Otoe, in the chair.

The hour of 12¼ o'clock, M., having arrived, the committee arose, and the house took a recess until 2½ o'clock, P. M.

AFTERNOON SESSION—2½ O'CLOCK.

House met and resumed business.

Mr. Butler of Pawnee, moved the house resolve itself into committee of the whole on council bill No. 51. A bill for an act to suppress jayhawking.

Carried.

Mr. Birchfield of Otoe, in the chair; after some time spent therein, the committee arose, and through the chairman reported the bill back to the house without amendment.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
January 7, 1862.

Mr. Speaker:

I am instructed by the council to inform your honorable body, that the council have passed council bill No. 76. A bill to provide for the garnishment of the debtors of the judgment debtor.

Also, council bill No. 78. A bill to repeal the three dollar road tax.

Also, council bill No. 79. A bill to confirm the title of lot three in block E, in Omaha, to A. L. King.

The concurrence of the house is respectfully requested.

I am also instructed to return to you house file No. 106. A bill to legalize the assessment for taxes in Clay county, for the year 1861.

Also, house file No. 21. A bill relative to the board of trustees of the town of Fremont, they having passed the council without amendment.

ROBT. W. FURNAS, Chief Clerk.

Call of the house demanded.

Absent—Messrs. Allgawahr, Hagaman, Holladay, and Reed.

Mr. Chapin of Cass, moved that all further proceedings, under the call be dispensed with.

Lost.

On motion, the sergeant-at-arms was dispatched after absentees.

Absentees having appeared within the bar of the house,

On motion, all further proceedings under the call was dispensed with.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
January 7, 1862.

Mr. Speaker:

I am instructed by the council to inform your honorable body, that the council have passed council bill No. 67. A bill for an act to establish a normal school.

Also, council bill No. 45. A bill for an act legalizing the acts of certain school officers.

The concurrence of the house is respectfully solicited.

I am also instructed to return you house file No. 22. A bill to vacate a part of the town site of Elmwood City, in Otoe county.

Also, house file No. 105. A bill to change the name of Calhoun county to Sanders.

Also, house file No. 89. A bill to define the boundaries of Holt county.

Also, house file No. 9. A bill to legalize the tax levy of 1861, in Burt county.

Also, house file No. 69. A bill to legalize the organization of Pawnee county.

Also, house file No. 16. A bill to legalize the assessment of taxes, in the county of Dodge.

Also, house file No. 15. A bill to legalize the acts of the county commissioners of L' Eau qui Court county.

Also, house file No. 86. A bill to define the boundaries of Burt, Cuming, and Stanton counties, the same having passed the council without amendment.

ROBT. W. FURNAS, Chief Clerk.

Mr. Croxton of Otoe, moved that the rules be suspended, and that council bill No. 51. A bill for an act to suppress jayhawking, be read a third time now.

Mr. Allen of Washington, moved to lay the motion on the table. Lost.

The question recurring on the motion to suspend the rules, the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allgawahr, Barnum, Barnard, Beall, Birchfield, Blakely, Buchanan, Butler, Chapin, Chalfant, Closser, Crothers, Crow, Eikenberry, Ewing, Holladay, Larsh, Porter, Reck, Reynolds, Reed, and Wiles—22.

Nays—Messrs. Allen, Bates, Bowen, Cahn, Clark of Douglas, Clarke of Sarpy, Croxton, Davis, Griffin, Leaming, McLaughlin, O'Conner, Rowles, Seymour, and Wattles—16.

Two-thirds not having voted in the affirmative, the motion was lost.

Mr. Leaming of Burt, moved the house adjourn, on which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Barnard, Birchfield, Buchanan, Chalfant, Closser, Clark of Douglas, Clarke of Sarpy, Crow, Croxton, Eikenberry, Griffin, Hagaman, Larsh, McLaughlin, Reynolds, Rowles, and Seymour—17.

Nays—Messrs. Allgawahr, Allen, Barnum, Bates, Beall, Blakely, Bowen, Butler, Cahn, Chapin, Crothers, Davis, Ewing, Holladay, Leaming, O'Conner, Porter, Reck, Reed, Wattles, and Wiles—21.

Lost.

Mr. Bowen of Washington, moved that house file No. 172. A bill for an act to provide for revenue, and for other purposes, be taken up.

Lost.

Mr. McLaughlin of Dakota, moved the house adjourn.

Lost.

Mr. Larsh of Otoe, moved that council bill No. 6. A bill for an act to repeal road tax of three dollars on each quarter section of land, be taken up.

Lost.

Mr. Bowen of Washington, moved that the house take up house file No. 172. A bill for an act to provide for revenue, and other purposes.

Lost.

Mr. Clarke of Sarpy, moved that the house adjourn.

Lost.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
January 7, 1862.

Mr. Speaker:

I am instructed to inform your honorable body, by the council, that the council have passed council bill No. 66. A bill to locate a territorial road from Cuming City, in Washington county, to the military bridge across the Elkhorn river, in Douglas county. The concurrence of the house is respectfully solicited.

I am also instructed to return to you house file No. 133. Memorial and joint resolution for a penitentiary.

Also, house file No. 126. A bill to rescind the tax levied for the purpose of building school houses in township three, range fourteen, in the county of Richardson.

Also, A bill to legalize certain acts of the county commissioners of Platte county.

Also, house file No. 48. A bill to amend an act to provide for the holding of district courts in the town of Columbus, in Platte county.

Also, house file No. 95. A bill to legalize the location of a road in Platte county, the same having passed the council without amendment.

Also, house file No. 97. A bill for an act to authorize and require the treasurer of Washington county to refund, to certain persons, certain amounts of a special tax levied for the year 1861, has passed the council with certain amendments attached thereto.

ROBT. W. FURNAS, Chief Clerk.

Mr. Butler of Pawnee, moved the house resolve itself into committee of the whole on house file No. 84. A bill for an act to reapportion councilman district, upon which the ayes and nays were demanded, with the following result.

Ayes—Messrs. Allgawahr, Barnum, Beall, Birchfield, Blakely, Buchanan, Butler, Chapin, Chalfant, Closser, Crothers, Crow, Eikenberry, Ewing, Holladay, Larsh, Porter, Reck, Reynolds, Reed, and Wiles—21.

Nays—Messrs. Allen, Barnard, Bates, Bowen, Cahn, Clark of Douglas, Clarke of Sarpy, Croxton, Davis, Griffin, Hagaman, Leaming, McLaughlin, O'Conner, Rowles, Seymour, and Wattles—17.

Carried.

The house went into committee of the whole, Mr. Butler of Pawnee, in the chair. After some time spent therein, the committee arose, and through the chairman, reported the bill back to the house, and recommended its passage.

Mr. Allen of Washington, moved the bill be indefinitely postponed, on which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allen, Bates, Bowen, Cahn, Clark of Douglas, Clarke of Sarpy, Davis, Griffin, Hagaman, Leaming, O'Conner, Rowles, Seymour and Wattles—14.

Nays—Messrs. Allgawahr, Barnum, Barnard, Beall, Birchfield, Blakely, Buchanan, Butler Chapin, Chalfant, Closser, Crothers, Crow, Croxton, Eikenberry, Ewing, Holladay, Larsh, McLaughlin, Porter, Reck, Reynolds, Reed and Wiles—24.

Lost.

Mr. Davis of Douglas, moved that the house adjourn.

Lost.

Mr. Leaming of Burt, moved that the house take up house file No. 172. A bill for an act to provide for revenue and other purposes.

Call of the house demanded.

There being no absentees, on motion, all further proceedings under the call was dispensed with.

Mr. Clark of Douglas, moved that the house adjourn, upon which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allen, Bates, Bowen, Buchanan, Cahn, Clark of Douglas, Clarke of Sarpy, Davis, Ewing, Griffin, Hagaman, Leaming, McLaughlin, O'Conner, Rowles, Seymour and Wattles—17.

Nays—Messrs. Allgawahr, Barnum, Barnard, Beall, Birchfield, Blakely, Butler, Chapin, Chalfant, Closser, Crothers, Crow, Croxton, Eikenberry, Holladay, Larsh, Porter, Reck, Reynolds, Reed and Wiles—21.

Lost.

Mr. Reck of Platte, moved to lay the motion to take up house file No. 172, upon the table, on which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allgawahr, Barnum, Beall, Birchfield, Blakely, Buchanan, Butler, Chapin, Chalfant, Closser, Crothers, Crow, Eikenberry, Ewing, Holladay, Larsh, Porter, Reck, Reynolds, Reed and Wiles—21.

Nays—Messrs. Allen, Barnard, Bates, Bowen, Cahn, Clark of Douglas, Clarke of Sarpy, Croxton, Davis, Griffin, Hagaman, Leaming, McLaughlin, O'Conner, Rowles, Seymour and Wattles—17.

Carried.

Mr. Reck of Platte, moved the rules be suspended, and that house file No. 84. A bill for an act to apportion councilman districts, be read a third time now.

Call of the house demanded.

Call had.

There being no absentees, on motion all further proceedings under the call were dispensed with.

Mr. Clarke of Sarpy, moved that the house adjourn.

Lost.

Question recurring on the motion to suspend the rules, the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allgawahr, Barnum, Barnard, Beall, Birchfield, Blakely, Buchanan, Butler, Chapin, Chalfant, Closser, Crothers, Crow, Croxton, Eikenberry, Ewing, Holladay, Larsh, Porter, Reck, Reynolds, Reed and Wiles—23.

Nays—Messrs. Allen, Bates, Bowen, Cahn, Clark of Douglas, Clarke of Sarpy, Davis, Griffin, Hagaman, Leaming, McLaughlin, O'Conner, Rowles, Seymour and Wattles—15.

Two thirds not having voted in the affirmative the motion was lost.

Mr. Bowen of Washington, moved that the house proceed to the election of an assistant enrolling clerk.

Carried.

Nominations being in order, Mr. Larsh of Otoe, nominated H. M. Judson of Douglas county, there being no other nominations the house proceeded to vote with the following result:

For Mr. Judson—Messrs. Allgawahr, Allen, Barnum, Barnard, Bates, Beall, Birchfield, Blakely, Bowen, Buchanan, Butler, Cahn, Chapin, Chalfant, Closser, Clark of Douglas, Crothers, Crow, Davis, Eikenberry, Ewing, Griffin, Hagaman, Holladay, Larsh, Leaming, McLaughlin, O'Conner, Porter, Reck, Reynolds, Reed, Rowles, Seymour, Wattles, Wiles and Mr. Speaker—35.

Mr. Judson, having received a majority of all the votes cast, he was declared duly elected.

Mr. Clark of Douglas, moved the clerk be instructed to inform Mr. Judson of his election.

Carried.

Mr. Davis of Douglas, moved that the house adjourn.

Lost.

Mr. Bowen of Washington, moved that the house take up house file No. 172. A bill for an act to provide for revenue and other purposes. Upon which the ayes and nays were demanded with the following result:

Ayes—Messrs. Allen, Barnum, Barnard, Bates, Bowen, Buchanan, Cahn, Clark of Douglas, Clarke of Sarpy, Davis, Griffin, Hagaman, Leaming, McLaughlin, O'Conner, Rowles and Wattles—17.

Nays—Messrs. Beall, Birchfield, Blakely, Butler, Chapin, Chalfant, Closser, Crow, Eikenberry, Ewing, Holladay, Larsh, Porter, Reck, Reynolds, Reed, Seymour and Wiles—19.

Lost.

Mr. Leaming of Burt, moved that the house adjourn.

Lost.

Council bill No. 45. A bill for an act to legalize certain acts of school officers in Cass county, was taken up.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on schools.

Mr. McLaughlin moved, that the house adjourn.

Lost.

Council bill No. 67. A bill for an act to establish a normal school, was taken up.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on schools.

Council bill No. 78. A bill for an act to repeal the three dollar road tax, was taken up.

Read first time.

Rules suspended. Bill read second time by its title, and referred to the committee on accounts and expenditures.

Mr. Griffin moved, that the committee be instructed to report the same back to the house at 10 o'clock to-morrow morning.

Carried.

Council bill No. 76. A bill for an act for the garnishment of the debt of the judgment debtor, was taken up.

Read first time.

Rules suspended. Bill read a second time by its title, and referred to committee on judiciary.

Mr. Clarke of Sarpy, moved that the house adjourn.

Lost.

Council bill No. 79. A bill for an act to confirm the title of lot three in block "E," in Omaha City, to A. L. King, was taken up.
Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on corporations.

On motion of Mr. Griffin, the committee was instructed to report the bill back to-morrow morning at 10 o'clock.

Mr. Leaming of Burt, moved that the rule be suspended, in order to take up engrossed bills on the speaker's table.
Lost.

Mr. Allen of Washington, moved that the house adjourn.
Carried.

The house at 5½ o'clock adjourned.
GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Wednesday, January, 8, 1862.

House met pursuant to adjournment.
Speaker in the chair.
Prayer by the Rev. Mr. Todd.
Roll called.
Absent—Messrs. Larsh, Leaming and McLaughlin.

On motion of Mr. Hagaman, leave of absence was granted to Mr. Leaming until 2½ o'clock this P. M.

Journal read and approved.

Mr. Blakely presented the remonstrance of thirty-one citizens of Clay county, in opposition to the passage of an act changing the boundary lines of Gage county.

The following notices of bills were given:

By Mr. Croxton of Otoe, of a bill for an act to provide for the sale of lands forfeited to the territory for non-payment of taxes.

By Mr. Bowen of Washington, of a bill for the relief of Thomas Frazier.

Mr. Reynolds of Otoe, offered the following resolution:

Resolved, That the committee on military affairs be instructed to inquire into, and report to this house to-morrow, the condition of the armory, by whom, and to whom arms have been distributed, the names of the persons whose vouchers or receipts are held for arms distributed, and such other matters of information relative to the arms belonging to the territory, as they may be able to obtain.

Rules suspended, and the resolution adopted.

Mr. Allen of Washington, submitted the following report:

Mr. Speaker:

The committee on judiciary, to whom was referred house file No. 160. A bill for an act to amend an act to define the duties of county commissioners and county clerks.

Also, house file No. 138. A bill for an act to revise an act entitled an act to allow the funding of the indebtedness of the territory; having had the same under consideration, beg leave to report them back without recommendation.

The same committee to whom was referred house file No. 118. A bill for an act to amend an act entitled an act for the appointment of masters in chancery, approved March 3, 1858, have given the same due consideration, and report it back to the house with amendments thereto attached, and recommend its passage as amended.

E. A. ALLEN, Chairman.

Mr. Reynolds of Otoe, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred council bill No. 79. A bill for an act to confirm the title of lot three, in block E, in Omaha, to A. L. King.

Also, house file No. 144. An act to vacate certain streets and alleys in the city of Fort Calhoun.

Also, council bill No. 55. A bill for an act to incorporate the first Baptist church of Nebraska City, having had the same under consideration, beg leave to report the same back to the house, and recommend their passage. M. W. REYNOLDS, Chairman.

Mr. Bowen, from the joint committee on the financial system, made the following report:

Mr. Speaker:

Your committee, having had under consideration house file No. 17. A bill for an act further prescribing the duties of county treasurers, has instructed me to report the same as committed, and to recommend its passage. Respectfully submitted.

JOHN S. BOWEN, Chairman.

Mr. Clark of Douglas, submitted the following report:

Mr Speaker:

Your committee, to whom was referred council bill No. 45. A bill for an act legalizing the acts of certain school officers of Louisville school district, Cass county, having had the same under consideration, report the same back without amendment, and recommend its passage.
M. H. CLARK, Chairman.

Mr. Clark of Douglas, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 176. A bill for an act providing for the disbursement of school moneys within the several counties of the territory, having had the same under consideration, beg leave to report the same back with an amendment, providing that all moneys that have been returned by county treasurers and not re-apportioned and returned to the same, be reimbursed. As amended, your committee would recommend the passage of the bill.

M. H. CLARK, Chairman.
D. B. LARSH,
D. MCLAUGHLIN.

Mr. Hagaman of L'Eau qui Court, submitted the following report:

Mr. Speaker:

Your special committee, to whom was referred house file No. 180. A memorial and joint resolution relative to the removal of the United States land office from Dakota City to Niobrara, have had the same under consideration, and respectfully beg leave to report it back to the house without amendment, and earnestly recommend its passage.

R. M. HAGAMAN,
E. W. BARNUM,
D. BUTLER.

Mr. Croxton of Otoe, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 2. A bill for an act to amend an act entitled an act to provide for the valuation and assessment of the real and personal property, and for the levying and collection of taxes in the Territory of Nebraska, having had the same under consideration, beg leave to report the same to the house and recommend its passage.

JOHN S. BOWEN,
JOHN H. CROXTON.
E. H. BARNARD.

Mr. Reck of Platte, submitted the following report:

Your committee, to whom was referred house file No. 31. An act to attach the counties of Platte and others to the counties of Otoe, Cass and Dodge, have had the same under consideration, and respectfully ask leave to report a substitute, with the recommendation that it should pass.

JOHN RECK,
D. MCLAUGHLIN.

Mr. Reck of Platte, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred council bill No. 78. A bill for an act to repeal the three dollar road tax, have had the same under consideration, and report the same back to the house without recommendation.

Your committee also beg leave to present the following bill, according to instructions: An act for the relief of families of volunteers now in the United States army, and recommend its passage.

JOHN RECK,
NATHAN BLAKELY,
JAMES CHALFANT.

House file No. 97. A bill for an act to authorize and require the treasurer of Washington county to refund, to certain persons, certain amounts of tax levy of 1861, was taken up.

Amendments proposed by the council concurred in.

Mr. Croxton of Otoe, introduced house file No. 183. A bill for an act to authorize county treasurers to re-advertise and re-offer for sale delinquent lands which have been heretofore offered for sale and remain unsold.

Read first time.

Rules suspended. Bill read second and third time by its title.

Bill passed and title agreed to.

House file No. 184. A bill for an act for the relief of families of volunteers now in the United States army.

Read first time.

Rules suspended. Bill read second time by its title.

Mr. Allen of Washington, introduced house file No. 185. A bill for an act to repeal the charter of the city of Fontenelle.

Read first time.

Rules suspended. Bill read second and third time by its title.

Bill passed and title agreed to.

Mr. Bowen of Washington, introduced house file No. 186. A bill for an act for the relief of Thomas Frazier.

Read first time.

Rules suspended. Bill read second and third time by its title.
Bill passed and title agreed to.

House file No. 92. A bill for an act to provide for the liquidation of county taxes in certain contingencies, was taken up.

Mr. Allen of Washington, moved to strike out sections two and three of said bill.
Carried.

Mr. Seymour of Douglas, moved to amend section one by adding, after the word county, the words "or territorial."
Carried.

On motion, the bill was ordered engrossed for a third reading to-morrow.

Mr. Holladay of Nemaha, submitted the following report:

Mr. Speaker:

The committee on engrossed and enrolled bills respectfully report the following acts as correctly enrolled:

An act to vacate a part of the plat of Elmwood City, in Otoe county.
An act to legalize the tax levy of A. D, 1861 in Burt county.
An act to legalize the assessment of taxes in the county of Dodge.
An act to restrain horses, cattle, sheep and swine from running at large in Logan precinct, Washington county, Nebraska.
An act to change the name of Calhoun county to Saunders.
An act to legalize the first organization of Pawnee county, Nebraska.

A. S. HOLLADAY, Chairman.

House file No. 168. A bill for an act to provide for the ordinary expenses, and for other general and specific purposes, was taken up
Read third time.
Bill passed and title agreed to.

House file No. 51. A bill for an act to amend an act entitled an act to allow the funding of the indebtedness of the territory, was taken up.
Read third time.
Bill passed and title agreed to.

House file No. 113. A bill for an act to restrain sheep and swine from running at large in certain parts of Cass county, was taken up.
Ordered engrossed for a third reading to-morrow.

House file No. 116. A bill for an act to dissolve the bonds of matrimony between Wm. L. Clay, and Harriet A. Clay, was taken up.

Mr. McLaughlin of Dakota, moved to postpone the bill till to-morrow.
Carried.

House file No. 127. A bill for an act to repeal section three of an act entitled an act to establish a civil code, was taken up.

On motion, indefinitely postponed.

House file No. 132. A bill for an act to incorporate the Platte river bridge company, was taken up.

Mr. Allen of Washington, moved to strike out of the amendment proposed by the committee, the name of "S. Hermann."
Carried.

Mr. Clarke of Sarpy, moved to strike out of said amendment the name of "Alexander Majors."
Carried.
The amendment concurred in as amended.
The bill was ordered engrossed for a third reading to-morrow.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
January 8, 1862.

Mr. Speaker:

I am instructed to inform your honorable body that the council has passed council bill No. 82. Joint resolution for the payment of the pages and the enrolling and engrossing clerks.
Also, council bill No. 83. A bill for an act for a road from Nebraska City to New Fort Kearney.
Also, council bill No. 84. A bill for an act to bridge the Platte river, at or near Shinn's ferry.
Council bill No. 85. A bill for an act to amend an act entitled an act respecting juries, and the concurrence of the house is respectfully requested.

ROBT. W. FURNAS, Chief Clerk.

House file No. 131. A bill for an act to dissolve the bonds of matrimony between Zachariah Cox and Elizabeth Cox, was taken up.
Mr. Griffin of Douglas moved to indefinitely postpone the bill.
Carried.

House file No. 135. A bill for an act to amend an act to incorporate the city of Bellevue, was taken up.
Read third time.
Bill passed and title agreed to.

House file No. 139. A bill for an act to dissolve the bonds of matrimony between H. C. H. Fitzgerald and Elizabeth F. Fitzgerald, was taken up.

Mr. Griffin of Douglas, moved the bill be indefinitely postponed.
Carried.

Mr. Croxton of Otoe, moved that council bill No. 82, Joint resolution for the payment of the pages and enrolling and engrossing clerks, be taken up.

Carried.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on ways and means, with instructions to report the same back to-day.

Mr. Holladay of Nemaha, submitted the following report:

Mr. Speaker:

The committee on engrossed and enrolled bills report that the following acts have this day been presented to the governor for his approval:

An act to vacate a part of Elmwood City, in Otoe county.

An act to legalize the tax levy of A. D, 1861 in Burt county.

An act to legalize the assessment of taxes in the county of Dodge.

An act to restrain horses, cattle, sheep and swine from running at large in Logan precinct, Washington county, Nebraska.

An act to change the name of Calhoun county to Saunders.

An act to legalize the first organization of Pawnee county.

A. S. HOLLADAY, Chairman.

House file No. 142. A bill for an act to provide for the laying out of county and territorial roads, was taken up.

Mr. Bowen of Washington moved to amend by inserting in section ——, "except where special acts require greater width."

Carried.

Bill ordered engrossed for third reading to-morrow.

The following communication was received from the commissioner of common schools:

OFFICE COMMISSIONER OF COMMON SCHOOLS.
Omaha, N. T., January 8, 1862.

Hon. A. D. JONES, *House of Representatives:*

SIR:—Enclosed I have the honor to transmit the third annual report of this office to the legislative assembly.

Respectfully, your obedient servant,

WM. E. HARVEY,
Com. Common Schools.

House file No. 146. A bill for an act to fix the time for holding courts in the third judicial district, was taken up.

Read third time. Bill passed and title agreed to.

Mr. Butler of Pawnee, moved that the rules be suspended, and that house file No. 84, (substitute.) A bill for an act to define councilman districts, be taken up. Upon which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allgawahr, Barnum, Barnard, Beall, Birchfield, Blakely, Buchanan, Butler, Chapin, Chalfant, Closser, Crothers, Crow, Eikenberry, Ewing, Hagaman, Holladay, Larsh, Porter, Reck, Reynolds, Reed and Wiles—23.

Nays—Messrs. Allen, Bates, Bowen, Cahn, Clark of Douglas, Clarke of Sarpy, Croxton, Davis, Griffin, McLaughlin, O'Conner, Rowles, Seymour and Wattles—14.

Two-thirds not having voted in the affirmative, the motion was lost.

House file No. 147. A bill for an act to authorize the county commissioners of Dakota county to set aside a portion of the road fund of said county, for a specified purpose, was taken up.

Read third time. Bill passed and title agreed to.

House file No. 148. A bill for an act to suppress worthless and broken bank notes, was taken up.

Ordered engrossed for a third reading this afternoon.

House file No. 149. A bill for an act to provide for the copying of the journals of the council and house of representatives of the eighth session of the legislative assembly of Nebraska, was taken up.

Read third time. Bill passed and title agreed to.

House file No. 150. Joint resolution relative to the Union, was taken up.

Mr. Allen of Washington, moved to lay the resolution on the table. Upon which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allgawahr, Allen, Bates, Beall, Birchfield, Buchanan, Closser, Clark of Douglas, Clarke of Sarpy, Crow, Larsh, McLaughlin, O'Conner, Reed, Rowles and Wattles—16.

Nays—Messrs. Barnum, Barnard, Blakely, Bowen, Butler, Cahn, Chapin, Chalfant, Crothers, Croxton, Davis, Eikenberry, Ewing, Griffin, Hagaman, Holladay, Porter, Reck, Reynolds, Seymour and Wiles—21.

Lost.

Mr. McLaughlin of Dakota, moved that the resolution be indefinitely postponed. Upon which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allen, Bates, Beall, Birchfield, Clark of Douglas, Crow, McLaughlin, O'Conner, Reed, Rowles and Wattles—11.

Nays—Messrs. Allgawahr, Barnum, Barnard, Blakely, Bowen, Buchanan, Butler, Cahn, Chapin, Chalfant, Closser, Clarke of Sarpy, Crothers, Croxton, Davis, Eikenberry, Ewing, Griffin, Hagaman, Holladay, Larsh, Porter, Reck, Reynolds, Seymour and Wiles—26.

Lost.

The hour of 12½ o'clock having arrived, the house took a recess until 2½ o'clock, P. M.

AFTERNOON SESSION—2½ O'CLOCK.

The house met, and resumed business.

House file No. 150. A bill for an act relative to the Union, being under consideration.

Mr. Reynolds of Otoe, moved to amend, by striking out the word "evident" and insert "necessary."

Carried.

Also, strike out the words "that the union of these states must be dissolved," and insert "for the preservation of the Union."

Carried.

Also, strike out the words "must," and insert "should."

Carried.

Mr. Croxton of Otoe, moved that the bill be ordered engrossed for a third reading to-morrow.

Carried.

Mr. Reck of Platte, introduced house file No. 187. A bill for an act to attach the counties of Platte, Merrick, Hall, Buffalo, Kearney and Lincoln, to Douglas, for council district.

Read first time.

Rules suspended. Bill read second time by its title.

Mr. Clark of Douglas, moved that the bill be referred to a special committee of three.

Carried.

Messrs. Clark of Douglas, Reck and Wattles, appointed such committee.

Mr. Holladay of Nemaha, submitted the following report:

Mr. Speaker:

Your committee on engrossed and enrolled bills, report the following bills as correctly engrossed:

A bill for an act to provide for the liquidation of county taxes, in certain contingencies.

A bill for an act for the suppression of counterfeit, worthless and broken bank notes.

A bill for an act to incorporate the First Presbyterian Church of Bellevue.

A bill for an act to repeal an act to restrain sheep and swine from running at large in Cass county, as to certain parts of said county.

A. S. HOLLADAY, Chairman.

House file No. 17. A bill for an act to further define the duties of county treasurers, was taken up.

Mr. Allen of Washington, moved to amend, by striking out section nine of said bill.

Carried.

Mr. Blakely of Gage, moved to amend, by inserting in section eleven the word "semi" before the word "annually."

Carried.

Mr. Bowen of Washington, moved to amend, by adding the following as sections twelve and thirteen of said bill:

§ 12. On or before the first Monday of October, the county commissioners shall meet at the county seat for the purpose of examining the accounts of the county treasurer and settling the same.

§ 13. The county treasurer and county clerk shall, in the presence of the commissioners, examine and compare their respective accounts of the amounts paid to the treasurer for tax, and when the said accounts have been found correct, or duly adjusted, shall in like manner compare the amounts collected with the tax duplicate. The treasurer shall be charged with the whole amount of the tax duplicate, but the commissioners may make abatement, or exonerations, for mistakes, indigent persons, and for other sufficient causes which may be shown to the satisfaction of the commissioners. The treasurer shall also be credited with the amount of taxes due upon the list of delinquent and unsold lands certified to the territorial auditor, as hereinafter provided. Upon all the remainder of taxes upon the duplicate the treasurer shall be charged with the penalty provided in section ——, together with interest at the rate of ten per cent. upon the amount of taxes and penalty until the dates when the same were paid to the treasurer; the balance remaining charged, after deducting the compensation allowed him by law, to the treasurer, shall be accounted for by him, by exhibiting the vouchers for amounts paid by him by direction of the board, the territorial warrants, county or road orders, or other evidences of indebtedness receivable by law in the collection of taxes, duly identified as prescribed in this act, and shall also exhibit to the commissioners the money in hand required to make up the full amount charged to him.

Amendments adopted.

Pending the consideration of the bill, the following message was received from the council:

COUNCIL CHAMBER,
January 8, 1862.

Mr. Speaker:

I am instructed by the council to inform your honorable body, that the council have passed council bill No. 77. A bill for an act to amend the ninth chapter of the code of Nebraska, approved January, 1856, and the concurrence of the house is respectfully requested.

I am also instructed to return you house file No. 33½. A bill for an act for the relief of Francis G. Beecher, with certain amendments thereto attached, and the concurrence of the council is respectfully requested. ROBT. W. FURNAS, Chief Clerk.

Mr. Croxton of Otoe, moved to amend house file No. 17, by striking out of line sixteen, section twenty-five, the word "work" and inserting "labor."

Carried.

Mr. Griffin of Douglas, moved to amend, by inserting after the word two, in line two, the words "be published on a card in writing, and cause the same to be posted in the office of the county treasurer and county clerk. Upon which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allgawahr, Allen, Barnum, Barnard, Beall, Birchfield, Blakely, Buchanan, Butler, Cahn, Chapin, Chalfant, Closser, Clarke of Sarpy, Croxton, Davis, Eikenberry, Griffin, Larsh, O'Conner, Reck, Reed, Rowles, Seymour, Wattles and Wiles—26.

Nays—Messrs. Bates, Bowen, Clark of Douglas, Crothers, Crow, Holladay, McLaughlin, Porter and Reynolds—9.

So the amendment was adopted.

On motion, ordered to be engrossed for a third reading tomorrow.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
January 8, 1862.

Mr. Speaker:

I am instructed by the council to inform your honorable body that the council has passed council bill No. 62. A bill for an act providing for taking the census, and apportioning the legislature, and the concurrence of the house is respectfully requested.

ROBT. W. FURNAS, Chief Clerk.

On motion, ordered to be engrossed for a third reading tomorrow.

Mr. McLaughlin of Dakota, asked leave of absence for Mr. O'Conner, for the balance of the session.

Leave granted.

Mr. Croxton of Otoe, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred council bill No. 82. Joint resolution for the payment of the pages, enrolling and engrossing clerks, have had the same under consideration, and beg leave to report the same to the house with the following amendments, to wit: After striking out the fifth, sixth, seventh, eighth, and ninth lines, and all of the tenth line except the word "and" at the end thereof, insert, "be allowed for their services two hundred dollars each; the assistant enrolling and engrossing clerks, five dollars per day each, for the time they have been employed as such; the firemen of the house, two hundred and forty dollars; the pages of the house and council, the sum of one hundred dollars each; and Isham Reavis and Frederick Renner, the sum of twenty dollars each, for services rendered to joint committee on finance.

JOHN H. CROXTON,
Chairman of committee on ways and means.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
January 8, 1862.

Mr. Speaker:

I am instructed by the council to inform your honorable body that the council has passed council bill No. 81. A bill for an act to amend the four hundred and sixty-first section of the civil code.

Also, council bill No. 88. A bill for an act for a mill dam across Muddy creek.

Also, council bill No. 80. A bill for an act to authorize the election of churchwardens and vestrymen of the Protestant Episcopal church, and defining their powers and duties.

Also, council bill No. 72. A bill for an act to restrain sheep and swine from running at large, west of the Half-Breed reservation, in Richardson county, and the concurrence of the house is respectfully requested.

I am also instructed to return you herewith house file No. 111. A bill for an act to vacate block number ten, in the town of Ponca, Dixon county.

Also, house file No. 28. A bill for an act for a territorial road from Bellevue, Sarpy county, to Elkhorn City, Douglas county.

Also, house file No. 136. A bill for an act to incorporate the German Sangerbund, of the City of Arago.

Also, house file No. 164. A bill for an act to amend an act to establish a ferry across the Platte and Elkhorn rivers, in Sarpy county.

Also, house file No. 185. A bill for an act to repeal the charter of the City of Fontenelle, the same having passed the council without amendment.

Also, house file No. 169. A bill for assigning district judges to their respective districts, with certain amendments attached thereto.

ROBT. W. FURNAS, Chief Clerk.

The following message was received from his excellency the governor, by the hands of his private secretary:

EXECUTIVE CHAMBER,
January 8, 1862.

Mr. Speaker:

I am instructed by the governor to inform your honorable body that he has signed and approved the following bills:

An act to legalize the assessment of taxes in the county of Dodge.

An act to legalize the tax levy of A. D., 1861, in Burt county.

An act to vacate a part of the plat of Elmwood City, in Otoe county.

An act to restrain horses, cattle, sheep, and swine from running at large, in Logan precinct, Washington county.

An act to change the name of Calhoun county to Saunders.

An act to legalize the first organization of Pawnee county, Nebraska Territory.

E. P. BREWSTER, Private Secretary.

Council bill No. 82. Joint resolution for the payment of the pages, enrolling and engrossing clerks, was taken up.

Rules suspended. Bill read third time by its title.

Bill passed and title agreed to.

Mr. Butler of Pawnee, moved that the rules be suspended, and that council bill No. 62. A bill for an act to apportion councilman districts, be taken up.

Call of the house demanded.

Absent—Messrs. Larsh and Leaming.

Mr. Seymour of Douglas, moved that all further proceedings, under the call, be dispensed with.

Lost.

Sergeant-at-arms dispatched after absentees.

Mr. Larsh appearing within the bar of the house, on motion, all further proceedings under the call, were dispensed with.

The question recurring on the motion to suspend the rules, the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allgawahr, Barnum, Barnard, Beall, Birchfield, Blakely, Buchanan, Butler, Chapin, Chalfant, Closser, Crothers, Crow, Croxton, Eikenberry, Ewing, Hagaman, Holladay, Larsh, Porter, Reck, Reynolds, Reed, and Wiles—24.

Nays—Messrs. Allen, Bates, Bowen, Cahn, Clark of Douglas, Clarke of Sarpy, Davis, Griffin, McLaughlin, O'Conner, Rowles, Seymour, and Wattles—13.

Two-thirds not having voted in the affirmative, the motion was lost.

Council bill No. 78 A bill for an act to repeal the three dollar road tax, was taken up.

Read first time.

Rules suspended. Bill read second time by its title.

Mr. Crow of Nemaha, moved that Nemaha county be exempted from the operations of said bill.

Lost.

Mr. Butler of Pawnee moved to exempt Pawnee county.
Carried.
Read third time.
Bill passed and title amended by inserting "as to certain counties."
Carried.
Title agreed to as amended.

Council bill No. 5. A bill for an act to require oath of allegiance from parties litigant, was taken up.

On motion of Mr. McLaughlin of Dakota, indefinitely postponed.

Council bill No. 6. A bill for an act to repeal the three dollar land tax on each quarter section, was taken up.

On motion of Mr. Reck of Platte, indefinitely postponed.

Council bill No. 7. A bill for an act to repeal subdivision "B," of the criminal code, was taken up.
Laid over for a third reading to-morrow.

Mr. Holladay of Nemaha, submitted the following reports:

Mr. Speaker:

The committee on engrossed and enrolled bills, report the following bills as correctly enrolled:
An act to amend an act to provide for the holding of district courts in the town of Columbus, Platte county.
An act to legalize the assessment for taxes in Clay county, for the year 1861.
Memorial and joint resolution relative to a mail route.
Memorial and joint resolution relative to school lands on the Half-Breed reservation, in Richardson and Nemaha counties.
An act to define the boundaries of Holt county.
An act to legalize the location of a road in Platte county.
An act to legalize certain acts of the county commissioners of Platte county.
An act to legalize the acts of the county commissioners of L'Eau qui Court county,
An act to authorize and require the treasurer of Washington county to refund or rescind, to certain persons, a certain amount of a special tax levied for the year A. D. 1861.

A. S. HOLLADAY, Chairman.

Mr. Speaker:

The committee on engrossed and enrolled bills, have this day delivered to his excellency the governor, the following bills for his signature.

An act to amend an act to provide for the holding of district courts, in the town of Columbus, Platte county.

Memorial and joint resolution relative to school lands on the Half-Breed reservation, in Richardson and Nemaha counties.

Memorial and joint resolution relative to a mail route.

An act to legalize the assessment of taxes in Clay county, for the year 1861.

An act to define the boundaries of Holt county.

An act to legalize the acts of the county commissioners of L' Eau qui Court county.

An act to legalize the location of a road in Platte county.

An act to legalize certain acts of the county commissioners of Platte county.

An act to authorize and require the treasurer of Washington county to refund or rescind, to certain persons, a certain amount of a special tax levied for the year 1861.

A. S. HOLLADAY, Chairman.

Council bill No. 11. A bill for an act to amend sections eighty-three and one hundred of the code of civil procedure, was taken up.

Amendments proposed by the committee to said bill, concurred in.

Read third time.

Bill passed and title agreed to

Council bill No. 14. A bill for an act to amend an act entitled an act to consolidate the corporations of Nebraska City, South Nebraska City, and Kearney City, and to incorporate Nebraska City, was taken up.

Amendments proposed by the committee concurred in.

Read third time.

Bill passed and title agreed to.

House file No. 162. A bill for an act to fix the time for holding courts in the first judicial district, was taken up.

Mr. Clarke of Sarpy, moved to amend so as to require two terms of court, in Sarpy county, namely, on the fourth Monday of March, and the fourth Monday of October, in each year.

Carried.

Ordered to be engrossed for a third reading to-morrow.

Mr. Davis of Douglas, moved to adjourn.
Lost.

Council bill No. 41. A bill for an act to authorize sheriffs to serve processes, issued by probate judges or justices of the peace, was taken up.
Read third time.
Bill passed and title agreed to.

Council bill No. 36. A bill for an act to provide for the erection of mills, mill dams, and for other purposes, was taken up.

Mr. Chapin of Cass, moved that the bill be indefinitely postponed.
Lost.

Mr. Bowen of Washington, moved to strike out the word "equitable," before the word damages, in section eight.
Carried.

Mr. McLaughlin of Dakota, moved to adjourn.
Lost.

Mr. Croxton of Otoe, moved that the house take a recess until 7½ o'clock.

Mr. Closser of Otoe, asked leave of absence for the balance of the day.
Leave granted.

Mr. Bowen of Washington, moved that the bill be recommitted to a special committee of three.
Carried.
Messrs. Bowen, Barnum, and Blakely, appointed such committee.

Council bill No. 51. A bill for an act to suppress jayhawking, was taken up.

Mr. Griffin of Douglas, moved to adjourn.
Lost.

Mr. Butler of Pawnee, moved to lay the bill on the table.

Upon which the ayes and nays were demanded, with the following result:
Ayes—Messrs. Allgawahr, Allen, Barnard, Barnum, Beall, Bowen, Butler, Cahn, Chapin, Chalfant, Crothers, Crow, Davis, Eikenberry, Ewing, Hagaman, Holladay, O'Conner, Porter, and Reck, —20.

Nays—Messrs. Bates, Birchfield, Blakely, Buchanan, Clark of Douglas, Clarke of Sarpy, Croxton, Griffin, Larsh, McLaughlin, Reynolds, Reed, Rowles, Seymour, Wattles, and Wiles—16.
Carried.

On motion, the house at 5¾ o'clock, P. M., adjourned.

GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Thursday, January 9, 1862.

House met pursuant to adjournment.
Speaker in the chair.
Prayer by the chaplain.
Roll called.
Absent—Messrs. Barnard, Bates, Larsh and McLaughlin.
Journal read and approved.

Mr. Allen of Washington, submitted the following report:

Mr. Speaker:

The committee on judiciary, to whom was referred council bill No. 73. An act to repeal the fifty-first section of an act entitled an act providing for the better regulation of schools in Nebraska, have given it due consideration, and respectfully recommend the passage of the same without amendment.

E. A. ALLEN, Chairman.

Mr. Bowen, from the select committee, to whom was referred council bill No. 36. A bill to provide for the erection of mills and mill dams, and other purposes, made the following report:

That the committee has had the same under consideration, and beg leave to report the bill with the following amendment: In the second section, in the fourth and fifth lines, strike out the words "summon and empannel twelve fit persons," and insert the words, "make out a list of twenty-four disinterested freeholders of the county, and return the same to the clerk of such court, and after not less than ten day's notice to both parties to appear in the office of said clerk, at a day and time to be by the said sheriff stated in said notice, and there and then in the presence of the said clerk, to strike out alternately one name from said list until but twelve remain, to summon and empannel the said twelve remaining freeholders," and recommend its passage.

JOHN S. BOWEN,
E. W. BARNUM,
N. BLAKELY.

Report taken up, and amendments of the committee concurred in.
Read third time.
Bill passed and title agreed to.

Mr. Clark of Douglas, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred council bill 67. A bill for an act to establish a normal school, having had the same under consideration, beg leave to report the same back to the house, and recommend the passage of the same.

M. H. CLARK, Chairman,
A. S. HOLLADAY,
N. B. LARSH.

Mr. Reck of Platte, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 187. A bill for an act to attach the counties of Platte, Merrick, Hall, Buffalo, Kearney and Lincoln to Douglas county, as an election district, for a member of the council having had the same under consideration, respectfully beg leave to report the same back to the house, and recommend its passage.

M. H. Clark, Chairman.
JOHN RECK,
S. H. WATTLES.

House file No. 33½. A bill for an act for the relief of Francis G. Beecher, was taken up, and the amendments of the council concurred in.

House file No. 169. An act assigning judges to their respective districts, was taken up, and the amendments of the council to said bill concurred in.

Council bill No. 62. A bill for an act to provide for taking the census, and to provide for the apportionment of the council and house of representatives.

Read first time.

Mr. Seymour of Douglas, moved a call of the house. There being no absentees but Mr. O'Conner, on motion, all further proceedings under the call were dispensed with.

Mr. Chapin of Cass, moved that the rules be suspended, and the bill be read a second time now; upon which the ayes and nays were demanded with the following result:

Ayes—Messrs. Allgawahr, Barnum, Barnard, Birchfield, Blakely, Buchanan, Butler, Chapin, Chalfant, Closser, Crothers, Crow, Croxton, Eikenberry, Ewing, Hagaman, Holladay, Larsh, Porter, Reynolds, Reed and Wiles—22.

Nays—Messrs. Allen, Bates, Beall, Bowen, Cahn, Clark of Douglas, Clarke of Sarpy, Davis, Griffin, Leaming, McLaughlin, Reck, Rowles, Seymour and Wattles—15.

Two-thirds not having voted in the affirmative, the motion was lost.

Mr. McLaughlin of Dakota, moved that house file No. 84. (Substitute.) A bill for an act to reapportion councilman districts, be taken up.

Carried.

Mr. Allen moved, that the vote to take up house file No. 84, be reconsidered.

Lost.

Read third time.

The question being on its passage, the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allgawahr, Barnum, Barnard, Bates, Beall, Birchfield, Blakely, Buchanan, Butler, Chalfant, Closser, Crothers, Crow, Eikenberry, Ewing, Hagaman, Holladay, Larsh, McLaughlin, Porter, Reck, Reynolds, Reed, Wattles and Wiles—25.

Nays—Messrs. Allen, Cahn, Clark of Douglas, Clarke of Sarpy, Croxton, Davis, Griffin, Leaming, Rowles and Seymour—10.

Bill passed and title agreed to.

Council bill No. 72. A bill for an act to restrain sheep and swine from running at large in certain parts of Richardson county, was taken up.

Read first time.

Council bill No. 77. An act to amend the code of Nebraska, approved January 26, 1856.

Read first time.

Rules suspended. Bill read a second and third time by its title.

Bill passed and title agreed to.

Council bill No. 80. A bill for an act to authorize the election of churchwardens and vestrymen of the Protestant Episcopal church, was taken up.

Read first time.

Rules suspended. Bill read second and third time by its title.

Bill passed and title agreed to.

Mr. Holladay of Nemaha, submitted the following reports:

Mr. Speaker:

The committee on engrossed and enrolled bills report house file No. 142. A bill for an act to regulate the laying out of county and territorial roads, as correctly engrossed.

A. S. HOLLADAY, Chairman.

Mr. Speaker:

Your committee, on engrossed and enrolled bills, beg leave to report the following bills as correctly enrolled: An act relative to the board of trustees of the town of Fremont.

An act to define the boundaries of Burt, Cuming and Stanton counties.

Joint resolution and memorial praying for an appropriation to build a penitentiary.

An act to rescind the tax levied for the purpose of building two school houses in township three, range fourteen, in the county of Richardson.

A. S. HOLLADAY, Chairman.

Mr. Holladay, from committee on engrossed and enrolled bills, made the following reports:

Mr. Speaker:

The committee on engrossed and enrolled bills, beg leave to report that the following bills have this day been placed in the hands of the governor for his approbation.

An act relative to the board of trustees of the town of Fremont.

An act to define the boundaries of Burt, Cuming and Stanton counties.

Joint resolution and memorial praying for an appropriation to build a penitentiary.

An act to rescind the tax levied for the purpose of building two school houses in township three, range fourteen, in the county of Richardson.

A. S. HALLADAY, Chairman.

Mr. Speaker:

The committee on engrossed and enrolled bills report back An act to repeal the charter of the city of Fontanelle, as enrolled correctly.

A. S. HALLIDAY, Chairman.

Mr. Speaker:

The committee on engrossed and enrolled bills, have this day presented to the governor for his signature, An act to repeal the charter of the city of Fontanelle.

A. S. HOLLADAY, Chairman.

Council bill No. 81. A bill for an act to amend section four hundred and sixty-one of the civil code.

Read first time.

Rules suspended. Bill read second and third time by its title.

Bill passed and title agreed to.

Council bill No. 83. A bill for an act to locate a territorial road from Nebraska City to New Fort Kearney.

Read first time.

Rules suspended. Bill read second time by its title.

Mr. Griffin of Douglas, moved that the vote by which council bill No. 5, A bill for an act requiring the oath of allegiance to parties litigant, be reconsidered.

Pending which, the following message was received from the council:

COUNCIL CHAMBER,
January 10, 1862.

Mr. Speaker:

I am instructed to return to your honorable body house file No. 149. A bill for an act to provide for the copying of the journals of the council and house of representatives for the eighth session of the legislative assembly, the same having passed the council without amendment.

I am also instructed to inform your honorable body, that the council have passed the following joint resolution, council bill No. 92, and to respectfully request your concurrence therein. I am further instructed to inform you that the council have refused to concur in the amendments proposed by the house to council bill No. 82. A joint resolution for the payment of the pages, and enrolling and engrossing clerks, and that the council have appointed Messrs. Belden and Taylor as a committee of conference to act with a similar committee to be appointed by the house, with regard to this bill.

ROBT. W. FURNAS, Chief Clerk.

The question recurring on the motion to reconsider, Mr. McLaughlin of Dakota, moved that the motion be laid on the table, upon which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Barnum, Barnard, Birchfield, Buchanan, Crow, Leaming, McLaughlin, Reed, Rowles and Seymour—10.

Nays—Messrs. Allgawahr, Beall, Blakely, Bowen, Butler, Chapin, Chalfant, Closser, Clarke of Douglas, Crothers, Croxton, Davis, Eikenberry, Ewing, Griffin, Hagaman, Holladay, Larsh, Porter, Reck, Reynolds, Wattles and Wiles—23.

Lost.

The hour of 12¼ M., having arrived, the house took a recess until 2½ o'clock, P. M.

AFTERNOON SESSION—2½ o'clock.

House met pursuant to recess.

Mr. Holladay submitted the following reports:

Mr. Speaker:

The committee on engrossed and enrolled bills, report the following as correctly engrossed:

House file No. 150. Joint resolution relative to the Union.

House file No. 162. A bill for an act to fix the time of holding district courts in the first judicial district.

House file No. 132. An act to incorporate the Fort Kearney and Platte river bridge company.

A. S. Holladay, Chairman.

Mr. Speaker:

The committee on engrossed and enrolled bills, present to the house, as correctly enrolled, An act to amend an act entitled an act to establish a ferry across the Platte and Elkhorn rivers, in Sarpy county, Nebraska Territory, approved January 5, 1861.

An act to incorporate the German Sangerbund, of the City of Arago.

An act to locate a territorial road from Bellevue, in Sarpy county, to Elkhorn City, in Douglas county.

An act for the relief of Francis G. Beecher.

An act assigning district judges to their respective districts, and to add Cass county to the second judicial district.

A. S. Holladay, Chairman,

Mr. Allen of Washington, moved that a committee of conference be appointed, to confer with the committee appointed by the council on council bill No. 82. Joint resolution for the payment of the pages, and the enrolling and engrossing clerks.

Carried.

Messrs. Allen, Butler, and Hagaman, appointed said committee.

The question recurring on the motion to reconsider the vote on council bill No. 5, which was under consideration, when the house took a recess. Pending which, the following message was received from his excellency the governor, by the hands of his private secretary:

EXECUTIVE CHAMBER,
January 9, 1862.

Mr. Speaker:

I am directed by the governor to inform your honorable body that he has signed and approved the following bills:

An act to amend an act to provide for the holding of district courts, in the town of Columbus, Platte county.

An act to legalize the acts of the county commissioners of L' Eau qui Court county.

An act to legalize certain acts of the county commissioners of Platte county.

An act to authorize and require the treasurer of Washington county to refund or rescind to certain persons, a certain amount of a special tax levied for the year 1861.

Memorial and joint resolution relative to a mail route from Dakota City to Fort Randall.

Memorial and joint resolution relative to school lands in the Half-Breed reservation, in Richardson and Nemaha counties.

An act to define the boundaries of Holt county.

An act to legalize the location of a road in Platte county.

An act to legalize the assessment of taxes in Clay county, for the year 1861.

E. P. BREWSTER, Private Secretary.

The following message was received from the council:

COUNCIL CHAMBER,
January 9, 1862.

Mr. Speaker:

I am instructed to inform your honorable body, that the council have passed council bill No. 93. A bill limiting the powers and defining the duties of county commissioners, clerks, and sheriffs.

Council bill No. 56. A bill relative to delinquent taxes, and the concurrence of the house is respectfully requested.

I am also instructed to return you house file No. 135. A bill amending the city charter of Bellevue.

Also, house file No. 70. A bill restraining stock from running at large, in Douglas, Sarpy, Hall, and Cuming counties, the same having passed the council without amendment.

Also, house file No. 147. A bill to authorize the commissioners of Dakota county to divert a portion of the road fund, the same having passed the council with certain amendments attached thereto.

I am further instructed to inform you that the council has concurred in the house amendments to council bills Nos. 11, 14 and 36.

ROBT. W. FURNAS, Chief Clerk.

The question recurring on the motion to reconsider the vote on council bill No. 5, Mr. Allgawahr of Richardson, moved the previous question.

Seconded

The question being, Shall the main question be now put?

Carried.

Question being on the motion to reconsider, it was lost.

Council bill No. 84. A bill for an act to bridge the Platte river, at or near Shinn's ferry, was taken up.

Read first time.

Rules suspended. Bill read second time by its title.

Council bill No. 88. A bill for an act to erect a mill dam across Muddy creek, was taken up.

Read first time.

Mr. Holladay of Nemaha, submitted the following report:

Mr. Speaker:

The committee on engrossed and enrolled bills, report that they have presented the following bills to the governor for his signature:

An act to amend an act entitled an act to establish a ferry across the Platte and Elkhorn rivers, in Sarpy county, Nebraska Territory, approved January 5, 1861.

An act to incorporate the German Sangerbund, of the City of Arago.

An act to locate a territorial road from Bellevue, in Sarpy county, to Elkhorn City, in Douglas county.

An act for the relief of Francis G. Beecher.

An act assigning the district judges to their respective districts, and to add Cass county to the second judicial district.

A. S. HOLLADAY, Chairman.

Council bill No. 85. A bill for an act to amend an act respecting juries, was taken up.

Read first time.

Rules suspended. Bill read second time by its title, and referred to committee on judiciary.

Council bill No. 92. Joint resolution, was taken up.

Read first time.

Council bill No. 54. A bill for an act to provide for the appointment of judges for municipal election, in Falls City, was taken up.

Read third time.

Bill passed and title agreed to.

Council bill No. 50. A bill for an act to appropriate five hundred dollars to resurvey certain lands known as saline, in Lancaster county, was taken up.

Read third time.

Bill passed and title agreed to.

The following message was received from the council:

COUNCIL CHAMBER,
January 9, 1862.

Mr. Speaker:

I am instructed to inform your honorable body, that the council have passed council bill No. 70. A bill for a ferry charter.

Also, council bill No. 90. A bill for an act amendatory to an act entitled an act of the jurisdiction and proceedings before justices of the peace, and of the duties of constables in civil courts, approved January 13, 1860. The concurrence of the house is respectfully requested.

I am also instructed to return you house file No. 121. A bill changing the name of Cutts' addition to River addition.

Also, house file No. 174. A bill for an act to restrain hogs from running at large in certain precincts in Dakota county.

Also, house file No. 49. A bill to attach a part of Polk county to that of Platte, the same having passed without amendment.

ROBT. W. FURNAS, Chief Clerk.

Council bill No. 55. A bill for an act to incorporate the First Baptist Church in Nebraska City, was taken up.

Read third time. Bill passed and title agreed to.

Council bill No. 61. A bill for an act to authorize executors and administrators to bring suits against the estates of deceased persons, was taken up.

Read third time. Bill passed and title agreed to.

Council bill No. 63. Memorial and joint resolution relative to the military condition of the territory, was taken up.

Mr. Larsh moved the bill be indefinitely postponed.
Lost.
Read third time. Bill passed and title agreed to.

Council bill No. 45. A bill for an act to legalize certain acts of school officers, was taken up. Pending which,

The following message was received from the council:

COUNCIL CHAMBER,
January 9, 1862.

Mr. Speaker:

I am instructed to inform your honorable body, that the council have passed council bill No. 74. A bill for an act providing for the taking of the census of the territory, and apportioning the members of the legislative assembly. The concurrence of the house is respectfully requested. ROBT. W. FURNAS, Chief Clerk.

Read third time. Bill passed and title agreed to.

Council bill No. 52. A bill for an act to authorize the county commissioners of Richardson county to draw orders, was taken up.

Mr. Ewing moved to amend, in the sixth line after the word unpaid, insert the following: "not to exceed the amount of one thousand dollars, provided that no part of said amount shall be paid for services rendered by any county treasurer of said county, prior to the first day of October, 1862."
Carried.
Read third time. Bill passed and title agreed to.

Council bill No. 67. A bill for an act to establish a normal school, was taken up.

Mr. Griffin moved the bill be indefinitely postponed.
Carried.

The following message was received from the governor, by his private secretary:

EXECUTIVE CHAMBER,
January 9, 1862.

Mr. Speaker:

I am directed by the governor to inform your honorable body, that he has signed and approved the following bills:

An act relative to the board of trustees of the town of Fremont.

An act to rescind the tax levied for the purpose of building two school houses in township three, range fourteen, in the county of Richardson.

Joint resolution and memorial, praying for an appropriation to build a penitentiary.

An act to repeal the charter of the city of Fontenelle.

E. P. BREWSTER, Private Secretary.

Council bill No 66. A bill for an act to locate a territorial road from Cuming City to Military Bridge, Elkhorn river, Douglas county, was taken up.

Read third time. Bill passed and title agreed to.

Council bill No. 69. Joint resolution in favor of Isham Reavis and Frederick Renner, was taken up.

Read third time. Bill passed and title agreed to.

Council bill No. 79. A bill for an act to confirm the title of lot three in block E, in Omaha City, to A. L. King, was taken up.

Read third time. Bill passed and title agreed to.

Council bill No. 73. An act to repeal section fifty-one of an act entitled an act providing for the better regulation of schools in Nebraska, was taken up.

Mr. Clark of Douglas, moved the bill be indefinitely postponed. Upon which the ayes and nays were demanded.

Ayes—Mr. Clark of Douglas—1.

Nays—Messrs. Allgawahr, Allen, Barnum, Barnard, Bates, Beall, Birchfield, Blakely, Bowen, Buchanan, Butler, Chapin, Chalfant, Closser, Clarke of Sarpy, Crothers, Crow, Croxton, Davis, Eikenberry, Ewing, Griffin, Hagaman, Holladay, Larsh, McLaughlin, Porter, Reck, Reed, Rowles, Wattles and Wiles—30.

Lost.

Read third time. Bill passed and title agreed to.

House file No. 172. A bill for an act to amend the revenue law, was taken up.

Mr. McLaughlin moved to amend in line sixteen, after the word counties, "where the three dollar road tax has been repealed."

Carried.

Mr. Allen moved to amend in line seventeen, after the word counties, "where the three dollar road tax has been repealed."

Carried.

Ordered engrossed for a third reading.

Mr. Seymour moved the house take a recess until 7½ o'clock, P. M. Carried.

EVENING SESSION—7½ O'CLOCK.

The house met, and resumed business.

House file No. 99. A bill for an act to repeal a portion of section one, of chapter five, of an act to provide for the settlement of the estate of decedants.
Read third time. Bill passed and title agreed to.

House file No. 116. A bill for an act to dissolve the bonds of matrimony between Wm. L. Clay and Harriet A. Clay, was taken up.

On motion of Mr. Griffin of Douglas, indefinitely postponed.

House file No. 118. A bill for an act to amend an act entitled an act to provide for the appointment of masters in chancery, was taken up.
Amendments proposed by the committee to said bill, concurred in.

On motion, the bill was ordered engrossed for a third reading.

Mr. Butler of Pawnee, submitted the following report:

Mr. Speaker:

The committee on the part of the house, appointed to confer with a similar committee on the part of the council upon council bill No. 82. Joint resolution for the payment of the pages and the enrolling and engrossing clerks, beg leave to report to the house, that said joint committee have had a conference upon said joint resolution, and recommend the passage of a substitute which is introduced in the council.

E. A. ALLEN, Chairman,
D. BUTLER,
R. W. HAGAMAN.

Mr. Bowen of Washington, moved that the house do not concur in the report, and that a free conference be asked.
Carried.
Messrs. Bowen, Bates and Barnard appointed a committee on the part of the house.

House file No. 138. A bill for an act to revise an act to allow the funding of the indebtedness of the territory, was taken up.

On motion, laid on the table.

House file No. 142. A bill for an act to provide for the laying out of county and territorial roads, was taken up.
Read third time. Bill passed and title agreed to.

House file No. 144. A bill for an act to vacate certain streets and alleys in Fort Calhoun, was taken up.
Read third time. Bill passed and title agreed to.

House file No. 151. A bill for an act to dissolve the bonds of matrimony between Jno. W. Bliss and Mary L. Bliss, was taken up.

Mr. Griffin of Douglas, moved to indefinitely postpone.

Ayes and nays demanded:
Ayes—Messrs. Allgawahr, Barnum, Barnard, Bates, Beall, Birchfield, Blakely, Buchanan, Butler, Cahn, Chapin, Chalfant, Closser, Clark of Douglas, Clarke of Sarpy, Croxton, Davis, Eikenberry, Ewing, Griffin, Leaming, McLaughlin, Reck, Reynolds and Wiles—28.
Nays—Messrs. Bowen, Crothers, Crow, Hagaman, Holladay, Porter, Reed, Rowles, Seymour and Wattles—10.
The bill was indefinitely postponed.

House file 152. A bill for an act to amend the third section of an act entitled an act to consolidate the corporation of Nebraska City, South Nebraska City, and Kearney City, and to incorporate Nebraska City, approved December 31, 1857, was taken up.
Read third time. Bill passed and title agreed to.

Mr. Holladay of Nemaha, submitted the following report:

Mr. Speaker:
The committee on engrossed and enrolled bills report house file No. 2. A bill for an act to amend the revenue law, as correctly engrossed. A. S. HOLLADAY, Chairman.

House file No. 153. A bill for an act to encourage the growth of timber, was taken up.
Read third time. Bill passed and title agreed.

House file No. 154. An act to dissolve the bonds of matrimony between Ann Davis and George W. Davis, was taken up.

Mr. Griffin of Douglas, moved the bill be indefinitely postponed, upon which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allgawahr, Barnum, Beall, Birchfield, Blakely, Chalfant, Closser, Clarke of Sarpy, Crow, Croxton, Davis, Eikenberry, Ewing, Griffin, Holladay, McLaughlin, Reynolds, Reed and Wiles--19.

Nays—Messrs. Barnard, Bates, Bowen, Buchanan, Butler, Cahn, Chapin, Clark of Douglas, Crothers, Hagaman, Leaming, Porter, Reck, Rowles, Seymour and Wattles—16.

So the bill was indefinitely postponed.

House file No. 2. A bill for an act to amend the revenue law, was taken up.

Read third time.

Bill passed and title agreed to.

House file No. 156. A bill for an act to encourage the manufacture of salt, was taken up.

Read third time.

Bill passed and title agreed to.

Mr. Butler of Pawnee, moved that Mr. Allen be excused from attendance for this evening.

Mr. Clark of Douglas moved a call of the house.

Call had.

Absent—Mr. Allen.

On motion, all further proceedings under the rule were dispensed with.

Mr. Allen excused from attendance.

Mr. Leaming of Burt, moved that the house adjourn, upon which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Bates, Beall, Bowen, Cahn, Clark of Douglas, Clarke of Sarpy, Davis, Griffin, Leaming, McLaughlin, Reck and Rowles—12.

Nays—Messrs. Allgawahr, Barnum, Barnard, Birchfield, Blakely, Buchanan, Butler, Chapin, Chalfant, Closser, Crothers, Crow, Croxton, Eikenberry, Hagaman, Holladay, Larsh, Porter, Reynolds, Reed, Seymour, Wattles and Wiles—23.

Lost.

Mr. Seymour moved a call of the house.

Call had.

There being no absentees, on motion, all further proceedings under the call were dispensed with.

Mr. Leaming of Burt, moved that the house adjourn, upon which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Bates, Beall, Bowen, Cahn, Chapin, Clark of Douglas, Clarke of Sarpy, Davis, Leaming, McLaughlin, Reck and Rowles—12.

Nays—Messrs. Allgawahr, Barnum, Barnard, Birchfield, Blakely, Buchanan, Butler, Chalfant, Closser, Crothers, Crow, Croxton, Eikenberry, Ewing, Griffin, Hagaman, Holladay, Larsh, Porter, Reynolds Reed, Seymour, Wattles and Wiles—24.

Motion lost.

Mr. Holladay of Nemaha, submitted the following report:

Mr. Speaker:

The committee on engrossed and enrolled bills, on examination, report the following bill correctly engrossed:

House file No. 118. A bill for an act to amend an act entitled an act for the appointment of masters in chancery, approved November 3, 1858. A. S. HOLLADAY, Chairman.

Mr. Clark of Douglas, moved that the house adjourn, upon which the ayes and nays were demanded, with the following result:

Ayes--Messrs. Bates, Beall, Blakely, Bowen, Cahn, Chapin, Clark of Douglas, Clarke of Sarpy, Davis, Leaming, McLaughlin and Reed–12.

Nays—Messrs. Allgawahr, Barnum, Barnard, Birchfield, Buchanan, Butler, Chalfant, Closser, Crothers, Crow, Croxton, Eikenberry, Ewing, Griffin, Hagaman, Holladay, Larsh, Porter, Reck, Reynolds, Rowles, Seymour, Wattles and Wiles—24.

Motion lost.

Mr. Seymour of Douglas moved a call of the house.

Call had.

There being no absentees, on motion, all further proceedings under the call were dispensed with.

Mr. McLaughlin of Dakota, moved that the house adjourn, upon which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Bates, Beall, Clark of Douglas, Clarke of Sarpy, Griffin, Leaming, McLaughlin, Reed and Rowles—9.

Nays—Messrs. Allgawahr, Allen, Barnard, Birchfield, Blakely, Bowen, Buchanan, Butler, Cahn, Chapin, Chalfant, Closser, Crothers, Crow, Croxton, Davis, Eikenberry, Ewing, Hagaman, Holladay, Larsh, Porter, Reck, Reynolds, Seymour, Wattles and Wiles—30.

Motion lost.

Mr. Clark of Douglas, moved to lay the motion to suspend the rules on the table.

Lost.

Mr. Clark of Douglas, moved to adjourn, upon which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Bates, Beall, Bowen, Cahn, Chapin, Clark of Douglas, Davis, Griffin, Leaming, McLaughlin, Reck and Rowles—12.

Nays—Messrs. Allgawahr, Barnum, Barnard, Birchfield, Blakely, Buchanan, Butler, Chalfant, Closser, Clarke of Sarpy, Crothers, Crow, Croxton, Eikenberry, Ewing, Hagaman, Holladay, Larsh, Porter, Reynolds, Reed, Seymour, Wattles and Wiles—24.

Motion lost.

Mr. Seymour of Douglas, moved a call of the house.

Call had.

There being no absentees, on motion, all further proceedings under the call were dispensed with.

Mr. Griffin of Douglas, moved that the house adjourn, upon which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Bates, Beall, Bowen, Cahn, Chapin, Clark of Douglas, Clarke of Sarpy, Davis, Hagaman, Leaming and McLaughlin–11.

Nays—Messrs. Allgawahr, Barnum, Barnard, Birchfield, Blakely, Buchanan, Butler, Chalfant, Closser, Crothers, Crow, Croxton, Eikenberry, Ewing, Griffin, Holladay, Larsh, Porter, Reck, Reynolds, Reed, Rowles, Seymour, Wattles and Wiles—25.

Motion lost.

The question recurring on the motion to suspend the rules, the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allgawahr, Barnum, Barnard, Beall, Birchfield, Blakely, Buchanan, Butler, Chapin, Chalfant, Closser, Crothers, Crow, Eikenberry, Ewing, Hagaman, Holladay, Larsh, Porter, Reck, Reynolds, Reed and Wiles—23.

Nays—Messrs. Bates, Bowen, Cahn, Clark of Douglas, Clarke of Sarpy, Croxton, Davis, Griffin, Leaming, McLaughlin, Rowles, Seymour and Wattles--13.

Two-thirds not having voted in the affirmative, the motion was lost.

Mr. Croxton of Otoe, moved that council bill No. 51, A bill for an act to suppress jayhawking, be taken from the table.

Mr. Allgawahr of Richardson, moved that the house adjourn, upon which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allgawahr, Bates, Beall, Blakely, Bowen, Butler, Cahn, Chapin, Crothers, Eikenberry, Ewing, Porter, Reed and Wattles—14.

Nays—Messrs. Barnum, Barnard, Birchfield, Buchanan, Chalfant, Closser, Clark of Douglas, Clarke of Sarpy. Crow, Croxton, Davis, Griffin, Hagaman, Holladay, Larsh, Leaming, McLaughlin, Reck, Reynolds, Rowles, Seymour and Wiles—22.

Motion lost.

The question recurring on the motion to take up the bill, the ayes and nays were demanded, with the following result:

Ayes—Messrs. Barnum, Bates, Birchfield, Blakely, Bowen, Buchanan, Butler, Cahn, Chapin, Chalfant, Closser, Clark of Douglas, Clarke of Sarpy, Crow, Croxton, Eikenberry, Ewing, Griffin, Hagaman, Holladay, Larsh, McLaughlin, Porter, Reck, Reynolds, Reed, Rowles, Seymour, Wattles and Wiles—30.

Nays—Messrs. Allgawahr, Barnard, Beall and Crothers—4.

Motion carried, and the bill taken from the table.

Mr. Reck moved a call of the house.

Call had.

Absent—Messrs. Davis and Leaming.

Sergeant at arms dispatched after absentees.

Absentees appearing within the bar of the house, on motion all further proceedings under the call were dispensed with.

The question being on the suspension of the rules, to read a third time now, the ayes and nays were demanded, with the following result:

Ayes—Messrs. Bates, Birchfield, Blakely, Buchanan, Butler, Cahn, Chapin, Closser, Clark of Douglas, Clarke of Sarpy, Croxton, Davis, Ewing, Griffin, Hagaman, Larsh, McLaughlin, Porter, Reynolds, Reed, Rowles, Seymour and Wiles—23.

Nays—Messrs. Allgawahr, Barnum, Barnard, Beall, Bowen, Chalfant, Crothers, Crow, Eikenberry, Holladay, Leaming, Reck and Wattles—13.

Two-thirds not having voted in the affirmative, the motion to read a third time was lost.

Mr. Bates of Dakota, moved to adjourn.

Lost.

Mr. Griffin of Douglas, moved that the house take up house file No. 172. A bill for an act to provide for revenue, and for other purposes.

Mr. Reck of Platte, moved to lay the motion on the table, upon which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allgawahr, Barnum, Beall, Blakely, Chapin, Chalfant, Crothers, Crow, Eikenberry, Ewing, Holladay, Larsh, Porter, Reck, Reed and Seymour—16.

Nays—Messrs. Barnard, Bates, Birchfield, Bowen, Buchanan, Butler, Cahn, Closser, Clark of Douglas, Clarke of Sarpy, Croxton, Davis, Griffin, Hagaman, Leaming, McLaughlin, Reynolds, Rowles, Wattles, and Wiles—20.

Lost.

The question recurring on the motion to take up, the ayes and nays were demanded, with the following result:

Ayes—Messrs. Barnard, Bates, Birchfield, Bowen, Buchanan, Butler, Cahn, Closser, Clark of Douglas, Clarke of Sarpy, Croxton, Davis, Griffin, Hagaman, Larsh, Leaming, McLaughlin, Reynolds, Rowles, Seymour, Wattles, and Wiles—22.

Nays—Messrs. Allgawahr, Barnum, Beall, Blakely, Chapin, Chalfant, Crothers, Crow, Eikenberry, Ewing, Holladay, Porter, Reck, and Reed—14.

So the motion was carried, and the bill taken up.

Mr. Chalfant of Cass, moved to amend section one, line three, by striking out "three," (3) and inserting "five." (5)

Carried.

Mr. Blakely moved to strike out section seventy-seven. (77.)

Lost.

Mr. McLaughlin moved to amend section thirty-eight (38) by inserting after the word one, "fifty," so as to read, "one dollar and fifty cents."

Carried.

Mr. Bowen moved to amend by inserting after line ten, "every other description of articles, or carriages, boats, and vessels of." In line eleven, strike out "and," and in the same line change wherein to "wherever."

Carried.

Mr. Allgawahr, of Richardson, moved to strike out all of section two, after the word property, in line four to line eleven.

Lost.

Mr. Crothers of Nemaha, moved to amend by striking out in section two, line eight, the words "household furniture."

Lost.

Mr. Holladay moved to adjourn.

Lost.

Mr. Croxton of Otoe, moved the house resolve itself into comcommittee of the whole, on house file No. 172, the bill under consideration, upon which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Barnard, Birchfield, Blakely, Bowen, Butler, Cahn, Chapin, Clark of Douglas, Clarke of Sarpy, Croxton, Davis, Eikenberry, Griffin, Larsh, Leaming, McLaughlin, Porter, Reynolds, Reed, Rowles, Seymour, Wattles, and Wiles—23.

Nays—Messrs. Allgawahr, Barnum, Bates, Buchanan, Chalfant, Closser, Crothers, Crow, Ewing, Hagaman, Holladay, and Reck—12.

Carried.

The house resolved itself into committee of the whole, Mr. Seymour in the chair; after some time spent therein, the committee arose, and through its chairman reported the bill back to the house, and asked leave to sit again.

Leave granted.

Mr. Blakely moved a call of the house.

There being no absentees, on motion, all further proceedings under the call were dispensed with.

Mr. Seymour moved that the committee have leave to sit again on house file No. 172. Revenue bills.

Leave granted.

Whereupon, the house resolved itself into committee of the whole on house file No. 172, Mr. Seymour of Douglas, in the chair; after some time spent therein, the committee arose, and through its chairman, Mr. Seymour, reported the bill back to the house with certain amendments attached thereto, and recommend its passage.

Mr. Croxton moved the amendments be concurred in.

Carried.

Mr. Allgawahr of Richardsson, moved to adjourn.

Lost.

Mr. Reck of Platte, moved to amend by inserting after the word counties, "where the three dollar road tax has been repealed."

Carried.

Mr. Blakely of Gage, moved to amend section seventy-five, by striking out the word "territorial," and inserting the words "county, where the lands are situated.

Carried.

Mr. Croxton of Otoe, moved that the bill be ordered to a third reading now, upon which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allgawahr, Barnard, Bates, Birchfield, Bowen, Buchanan, Butler, Cahn, Chapin, Chalfant, Closser, Clark of Douglas, Clarke of Sarpy, Crow, Croxton, Davis, Eikenberry, Ewing, Griffin, Hagaman, Larsh, Leaming, McLaughlin, Reck, Rowles, Seymour, Wattles, and Wiles—28.

Nays—Messrs. Barnum, Blakely, Crothers, Holladay, Porter, Reynolds, and Reed—7.

Carried.

Read third time.

The question being on its passage, the ayes and nays were demanded, with the following result:

Ayes—Messrs. Barnum, Barnard, Bates, Bowen, Butler, Cahn, Clark of Douglas, Clarke of Sarpy, Croxton, Davis, Griffin, Hagaman, Leaming, McLaughlin, Reck, Rowles, Seymour, Wattles, and Wiles—19.

Nays—Messrs. Allgawahr, Birchfield, Blakely, Buchanan, Chapin, Chalfant, Closser, Crothers, Crow, Eikenberry, Ewing, Holladay, Larsh, Porter, Reynolds, and Reed—16.

Bill passed and title agreed to.

House file No. 118. A bill for an act to amend an act to provide for the appointment of masters in chancery, was taken up.

Read third time.

Bill passed and title agreed to.

House file No. 155. A bill for an act to dissolve the bonds of matrimony between George W. Danes and Louisa Danes, was taken up.

Mr. Griffin of Douglas, moved to indefinitely postpone the bill.

Carried.

House file No. 157. A bill for an act to contract and vacate a portion of the town site of Tekama, was taken up.

Read third time.

Bill passed and title agreed to.

House file No. 160. A bill for an act to amend an act to define the duties of county commissioners and clerks, was taken up.

Read third time.

Bill passed and title agreed to.

House file No. 165. A bill for an act to vacate the streets and alleys west of Fourteenth street, in Hail & Co.'s addition to Nebraska City, was taken up.

Read third time.

Bill passed and title agreed to.

House file No. 166. A bill for an act to define the boundaries of Gage county, was taken up.

On motion of Mr. Blakely, recommitted to committee an county boundaries and county seats.

House file No. 170. A bill for an act relative to the city finances of Omaha, was taken up.
Read third time.
Bill passed and title agreed to.

House file No. 173. A bill for an act in regard to banks and banking corporations, was taken up.

Mr. Reynolds of Otoe, moved that the bill be indefinitely postponed.
Ayes and nays demanded, as follows:
Ayes—Messrs. Barnum, Bates, Birchfield, Blakely, Bowen, Buchanan, Butler, Chapin, Chalfant, Closser, Clarke of Sarpy, Crothers, Crow, Croxton, Eikenberry, Ewing, Hagaman, Holladay, Leaming, Reynolds, and Reed—21.
Nays—Messrs. Allgawahr, Barnard, Cahn, Clark of Douglas, Davis, Griffin. Larsh, McLaughlin, Porter, Reck, Rowles, Seymour, Wattles, and Wiles—14.
So the bill was indefinitely postponed.

House file No. 158. A bill for an act relative to weights and measures, was taken up.

On motion of Mr. Griffin, recommitted to committee on agriculture.

House file No. 159. A bill for an act to define the southern boundary of Dodge county, was taken up.
Read third time.
Bill passed and title agreed to.

House file No. 176. A bill for an act to provide for the disbursement of school money, in the several counties of this territory, was taken up.
Amendments of committee concurred in.
Ordered to be engrossed for a third reading.

House file No. 179. A bill for an act to provide for the killing of wolves, was taken up.

On motion, indefinitely postponed.

House file No. 180. A memorial and joint resolution relative to removing the United States land office from Dakota City to Niobrara, was taken up.

Mr. McLaughlin moved that the bill be indefinitely postponed.

On which the ayes and nays were demanded, with the following result.

Ayes—Messrs. Bates, Birchfield, Bowen, Buchanan, Cahn, Chalfant, Clark of Douglas, Clarke of Sarpy, Crow, Croxton, Davis, Griffin, Leaming, McLaughlin, Reck, Reynolds, Rowles, Seymour, Wattles and Wiles—20.

Nays—Messrs. Allgawahr, Barnum, Blakely, Butler, Chapin, Crothers, Eikenberry, Ewing, Hagaman, Holladay, Larsh, Porter, and Reed—13

So the bill was indefinitely postponed.

House file No. 181. A bill for an act to locate a territorial road from St. Johns to Galena, was taken up.

Read third time.

Bill passed and title agreed to.

House file No. 187. A bill for an act to attach the counties of Platte, Merrick, Hall, Buffalo, Kearney, and Lincoln, to Douglas county, for council district, was taken up.

Read third time.

Bill passed and title agreed to.

House file No. 171. An act relative to territorial officers, was taken up.

Read third time.

Bill passed and title agreed to.

House file No 178. A bill for an act to further prescribe the duties of county clerks, was taken up.

Read third time.

Bill passed and title agreed to.

House file No. 188. Mr. Larsh of Otoe, introduced house file No. 188. A bill for an act to provide for the salary of the late commissioner of common schools.

Read first time.

Rules suspended. Bill read second time by its title.

On motion, the house at 12½ o'clock, M., adjourned.

GEO. L. SEYBOLT, Chief Clerk.

HOUSE OF REPRESENTATIVES.
Friday, January 10, 1862.

House met pursuant to adjournment,

Speaker in the chair.

Prayer by the chaplain.

Roll called.

Absent—Messrs. Barnum, Blakely, Larsh, McLaughlin, and Seymour.

Journal read and approved.

Council bill No. 82. Joint resolution relative to compensation of enrolling and engrossing clerks, pages, and firemen, was taken up.

Read first time.

Rules suspended. Bill read second and third time by its title.

Bill passed and title agreed to.

Mr. Clark of Douglas, offered a series of resolutions relative to the officers of the house, etc.

Read and referred to a select committee of one.

Mr. Clark of Douglas, appointed that committee.

Mr. Allen of Washington, submitted the following report:

Mr. Speaker:

Your committee on judiciary, to whom was referred council bill No. 85. A bill for an act to amend an act entitled an act respecting juries, having had the same under consideration, beg leave to report it back to the house, and recommend its passage without amendment.

E. A. ALLEN, Chairman.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
January 10, 1862.

Mr. Speaker:

I am instructed to inform your honorable body that the council has passed council bill No. 68. A bill for an act to further prescribe the duties of county treasurers.

Council bill No 45. A bill for an act for the relief of sub-school district number four, Cass county.

Council bill No. 25. Joint resolution relative to confiscating property of rebels; and the concurrence of the house is respectfully requested.

I am also instructed to inform you that the council has passed house file No. 80. A bill for an act to confirm the elective franchise to citizens residing temporarily on the Omaha and Pawnee reservations.

House file No. 145. A bill for an act to amend the charter of St. Helena.

House file No. 109. A bill for an act to amend the ferry charter at Desoto, the same having passed the council without amendment.

I am further instructed to inform you that the council has passed the substitute reported by the conference committee relative to payment of enrolling and engrossing clerks, pages and fireman; and the concurrence of the house is requested.

ROBT. W. FURNAS, Chief Clerk

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
January 10, 1862.

Mr. Speaker:

I am instructed to inform your honorable body that the council has passed council bill No. 44. A bill for an act to incorporate the Baptist church of Bellevue; and the concurrence of the house is respectfully requested.

ROBT. W. FURNAS, Chief Clerk.

Council bill No. 25. Memorial and joint resolution, was taken up.

Read first time.

Rules suspended. Bill read second and third time by its title.

Bill passed and title agreed to.

Mr. Holladay of Nemaha, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 188. A bill for an act to provide for the payment of the salary of the late commissioner of common schools, have had the same under consideration, and beg leave to report that they have carefully considered the bill, and believe that nothing more than justice would be done the school commissioner, by the passage of this bill. They also beg leave to offer the following reasons why the bill should pass: In the fall of 1859, Mr. Harvey was elected school commissioner, and moved at a heavy expense in the middle of winter to Omaha, (as he was required by law to keep his office at the capital,) so that he could properly discharge the duties of the office to which he was called by the people.

The salary attached to the office at that time was one thousand dollars per year, and so continued until the fourth of March last, having been reduced by the last legislative assembly to six hundred dollars per annum after that date, which salary he has since received, but owing to the depreciated value of territorial warrants, he could not have realized but about three hundred dollars in money during the past year, out of his salary.

During the past year, believing that a good revenue could be derived from the leasing of the school lands, he went, at his own expense to Washington, and there procured from the secretary of the interior a concession of the right to use the lands For this important service he has neither asked or expected the territory to compensate him.

On consultation with the auditor, your committee learn that there is only about thirty dollars of his salary unpaid, unless the courts should decide that the legislature had no right to reduce his salary during the term for which he was elected by the people. He has now under existing laws not only to perform the duties of auditor, but also those of school commissioner and librarian, for all of which he is entitled to a salary of six hundred dollars in territorial warrants per annum; and which at the present value of warrants, will not be worth over two hundred dollars, toe insignificant a sum for the labor required.

M. H. CLARK, Chairman.
A. S. HOLLADAY.

Council bill No. 68. A bill for an act to further prescribe the duties of county treasurer, was taken up.

Read first time.

Rules suspended. Bill read second and third time by its title.

Bill passed and title agreed to.

Mr. Blakely of Gage, on leave, introduced house file No. 189. A bill for an act to attach the counties of Gage and Jones to the tenth councilman district.

Read first time.

Rules suspended. Bill read second and third time by its title.

Bill passed and title agreed to.

House file No. 147. A bill for an act to authorize the county commissioners of Dakota county, to set aside a portion of road tax for special purpose, was taken up.

Amendments proposed by the council to said bill concurred in.

Mr. Griffin of Douglas, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred house file No. 158. A bill for an act relative to weights and measures, have had the same under consideration, and report the same back to the house, and recommend its passage, with certain amendments thereto attached.

JOEL T. GRIFFIN, Chairman.

Mr. Clark of Douglas, from special committee, submitted the following resolutions:

Resolved, That the thanks of this body be extended to his excellency Alvin Saunders, governor of Nebraska, for his attention and courtesy to the members of this house during the session.

Resolved, That the thanks of this body are hereby extended to the honorable Algernon S. Paddock, secretary of the territory, for his generous and courteous treatment of the members of this house, for the many favors extended to us, and for the prompt, efficient and energetic manner in which he has discharged the duties devolving upon him during the present sessiou of this legislature.

Resolved, That our thanks are due to the honorable A. D. Jones, for the able, impartial and dignified manner in which he has discharged the duties of speaker of the house of representatives, of the legislative assembly of the Territory of Nebraska.

Resolved, That the thanks of this house are also due Geo. L. Seybolt, chief clerk; James W. Virtue, second clerk; Rev. Mr. Hart, chaplain; F. C. Morrison, sergeant-at-arms; John Wolfull, doorkeeper; J. W. Hollingshead, engrossing clerk; Isham Reavis, enrolling clerk; Joseph Imhoff, fireman, and the pages, for their fulfillment of the duties of these respective offices.

Rules suspended, and the resolutions adopted.

Council bill No. 44. A bill for an act to incorporate the First Baptist church of Bellevue, was taken up.

Read third time.

Bill passed and title agreed to.

Council bill No. 45. A bill for an act for the relief of sub-school district number four, in Mt. Pleasant precinct, Cass county, was taken up.

Read third time.

Bill passed and title agreed to.

Council bill No. 74. A bill for an act to provide for the taking of the census, and making an apportionment of the legislative assembly, was taken up.

Read first time.

Mr. Butler of Pawnee, moved that the rules be suspended, and the bill be read a second time now.

Call of the house demanded.

Call had.

Absent—Messrs. Barnum, Closser, Holladay and McLaughlin.

The absentees appearing within the bar of the house, on motion, all further proceedings under the call were dispensed with.

Pending the motion to suspend the rules, the following message was received from the council.

COUNCIL CHAMBER,
January 10, 1862.

Mr. Speaker :

I am instructed to inform your honorable body that the council have passed council bill No. 94. A bill for an act relative to the payment of engrossing and enrolling clerks of the council and house of representatives, and others.

I am also instructed to return you house file No. 118. A bill for an act to amend an act for the appointment of masters in chancery, approved November 3, 1858.

ROBT. W. FURNAS, Chief Clerk.

Mr. Holladay of Nemaha, submitted the following report:

Mr. Speaker:

Your committee on engrossed and enrolled bills, beg leave to report the following bills as correctly engrossed.

A bill for an act to provide for the disbursement of school moneys within the several counties of the territory.

A. S. HOLLADAY, Chairman.

Mr. Speaker:

Your committee on engrossed and enrolled bills, beg leave to report the following bills as correctly enrolled:

An act to provide for copying the journals of the council and house of representatives for the eighth session of the legislative assembly.

An act to vacate block number ten in the town of Ponca, Dixon county.

An act to amend an act entitled an act to incorporate Bellevue City, approved March 15, 1855.

An act to restrain hogs from running at large in certain precincts of Dakota county.

An act to attach a part of Polk county to that of Platte.

An act to restrain stock from running at large in the counties of Douglas, Sarpy, Hall and Cuming.

A. S. HOLLADAY, Chairman.

Mr. Speaker:

The committee on engrossed and enrolled bills, report that they have this day presented the following bills to the governor, for his approval:

An act to provide for the copying of the journals of the council and house of representatives for the eighth session of the legislative assembly.

An act to vacate block number ten, in the town of Ponca, Dixon county.

An act to amend an act entitled an act to incorporate Bellevue City, approved March 15, 1855.

An act to restrain hogs from running at large, in certain precincts, in Dakota county.

An act to attach a part of Polk county to that of Platte.

An act to change the name of Cutts' addition to River addition.

An act to restrain strock from running at large, in the counties of Douglas, Sarpy, Hall, and Cuming.

A. S. HOLLADAY, Chairman.

The hour of 12½ o'clock, M., having arrived, the house took a recess until 2½ o'clock, P. M.

AFTERNOON SESSION—2½ O'CLOCK.

House met and resumed business.

Call of the house demanded.

Absent—Messrs. Allgawahr, Allen, Blakely, Croxton and Davis.

On motion, the sergeant-at-arms was dispatched after absentees.

The absentees appearing within the bar of the house, on motion, all further proceedings under the call, were dispensed with.

Pending the motion to suspend the rules to take up council bill No. 74, the following message was received from his excellency the governor, by the hands of his private secretary.

EXECUTIVE CHAMBER,
January 10, 1862.

Mr. Speaker:

I am instructed by the governor to inform your honorable body, that he has signed and approved the following bills:

An act to locate a territorial road from Bellevue, in Sarpy county, to Elkhorn City, in Douglas county.

An act to incorporate the German Sangerbund, of the City of Arago.

An act assigning district judges to their respective districts, and to add Cass county to the second judicial district.

An act to amend an act entitled an act to establish a ferry across the Platte and Elkhorn rivers, in Sarpy county, Nebraska Territory, approved January 5, 1861.

An act for the relief of Francis G. Beecher.

E. P. **BREWSTER** Private Secretary.

Mr. Butler of Pawnee, asked leave to withdraw his motion to take up council bill No. 74.

Question being on granting leave, the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allgawahr, Barnum, Birchfield, Blakely, Buchanan, Butler, Chapin, Chalfant, Closser, Crothers, Crow, Eikenberry, Ewing, Hagaman, Holladay, Larsh, Porter, Reynolds and Reed—19.

Nays—Messrs. Allen, Barnard, Bates, Beall, Bowen, Cahn, Clark of Douglas, Clarke of Sarpy, Croxton, Davis, Griffin, Leaming, McLaughlin, Reck, Rowles, Seymour, Wattles, Wiles and Mr. Speaker—19.

Lost.

The question recurring on the motion to suspend the rules, the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allgawahr, Barnum, Barnard, Beall, Birchfield, Blakely, Buchanan, Butler, Chapin, Closser, Crothers, Crow, Croxton, Eikenberry, Ewing, Hagaman, Larsh, Porter, Reck, Reynolds, and Wiles—21.

Nays—Messrs. Allen, Bates, Bowen, Cahn, Chalfant, Clark of Douglas, Clarke of Sarpy, Davis, Griffin, Holladay, Leaming, McLaughlin, Reed, Rowles, Seymour and Wattles—16.

Two-thirds not having voted in the affirmative, the motion to suspend was lost.

Mr. Reynolds of Otoe, moved to reconsider the vote by which the bill relative to banks and banking corporations, was indefinitely postponed; upon which the ayes and nays were demanded, with the following result:

Ayes.—Messrs. Allgawahr, Allen, Beall, Birchfield, Bowen, Butler, Cahn, Clark of Douglas, Crothers, Croxton, Davis, Ewing, Griffin, Hagaman, Holladay, Larsh, McLaughlin, Porter, Reck, Reynolds, Seymour and Wiles—22.

Nays—Messrs. Barnum, Barnard, Bates, Blakely, Buchanan, Chapin, Chalfant, Closser, Clarke of Sarpy, Crow, Eikenberry, Leaming, Reed. Rowles and Wattles—15.

Carried.

Read third time.

Mr. Leaming of Burt, moved that the bill be indefinitely postponed; upon which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allgawahr, Barnum, Barnard, Bates, Birchfield, Blakely, Buchanan, Chapin, Chalfant, Closser, Clarke of Sarpy, Crothers, Crow, Croxton, Eikenberry, Ewing, Holladay, Leaming, Reed and Rowles—20.

Nays—Messrs. Allen, Beall, Bowen, Butler, Cahn, Clark of Douglas, Davis, Hagaman, Larsh, McLaughlin, Porter, Reck, Reynolds, Seymour, Wattles and Wiles—16.

So the motion was carried, and the bill indefinitely postponed.

Mr. Chapin of Cass, moved a call of the house.

There being no absentees, on motion, all further proceedings under the call, were dispensed with.

Council bill No. 56. A bill for an act relative to delinquent taxes, was taken up.

Read first time.

Rules suspended. Bill read second time by its title.

Mr. Croxton of Otoe, moved to amend by inserting the word "unpaid," before the word taxes; pending which, the following message was received from the council:

COUNCIL CHAMBER,
January 10, 1862.

Mr. Speaker:

I am instructed to inform your honorable body, that the council has passed council bill No. 87. A bill for an act supplemental to an act to organize the Nebraska volunteers, approved January 23, 1856; and the concurrence of the house is requested.

ROBT. W. FURNAS, Chief Clerk.

The question recurring on the motion of Mr. Croxton to amend, it was carried.

Mr. Bowen of Washington, moved to amend by inserting "Cass county."

Lost.

Mr. Leaming of Burt, moved that the bill be indefinitely postponed; upon which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Allen, Barnard, Bates, Beall, Bowen, Cahn, Clark of Douglas, Clarke of Sarpy, Davis, Griffin, Leaming, McLaughlin, Rowles, Seymour and Wattles—15.

Nays—Messrs. Barnum, Birchfield, Blakely, Buchanan, Butler, Chapin, Chalfant, Crothers, Crow, Croxton, Eikenberry, Ewing, Hagaman, Holladay, Larsh, Porter, Reynolds, Reed and Wiles—19.
Lost.

Mr. McLaughlin of Dakota, moved to lay the bill upon the table.
Carried.

Council bill No. 70. A bill for an act for a ferry charter, was taken up.
Read first time.
Rules suspended. Bill read second and third time by its title.
Bill passed and title agreed to.

Council bill No. 93. A bill for an act to limit the powers and define the duties of county commissioners, county clerks, and sheriffs, was taken up.
Read first time.
Rules suspended. Bill read second time by its title.

Mr. Allen of Washington, moved that the bill be indefinitely postponed.
Carried.

Council bill No. 94. A bill for an act relative to the pay of the engrossing and enrolling clerks, was taken up.

Mr. Croxton of Otoe, moved to lay the bill on the table.
Carried.

Council bill No. 7. A bill for an act to repeal subdivision "B," of the criminal code, and for other purposes, was taken up.
Read third time.
Bill passed and title agreed to.

House file No. 61. A bill for an act to vacate the streets and alleys in the town of Peru, was taken up.
Read third time.
Bill passed and title agreed to.

Council bill No. 51. A bill for an act to suppress jayhawking, was taken up.

Mr. Croxton of Otoe, moved a call of the house.

Absent—Messrs. Clark of Douglas, and Leaming.

On motion, the sergeant-at-arms was dispatched after absentees.

The absentees appearing within the bar of the house, on motion, all further proceedings under the call, were dispensed with.
Read third time.

The question being on its passage, the ayes and nays were demanded, with the following result:
Ayes—Messrs. Barnum, Birchfield, Buchanan, Cahn, Chapin, Chalfant, Clark of Douglas, Clarke of Sarpy, Croxton, Davis, Griffin, Larsh, McLaughlin, Reynolds, Rowles, Seymour, and Wiles—17.
Nays—Messrs. Allgawahr, Allen, Barnard, Bates, Beall, Blakely, Bowen, Butler, Crothers, Crow, Eikenberry, Ewing, Hagaman, Holladay, Leaming, Porter, Reck, Reed and Wattles—19.
Lost.

House file No. 52. A bill for an act to legalize the taxes for 1859, 1860, 1861, for Nebraska, was taken up.

Mr. Butler of Pawnee, moved to lay the bill on the table.
Carried.

House file No. 68. A bill for an act to amend an act for the sale of the cast iron of the territory, was taken up.
Read third time. Bill passed and title agreed to.

House file No. 77. A bill for an act to define legal publications, was taken up.

Mr. Holladay of Nemaha, moved that the bill be indefinitely postponed.
Carried.

Mr. Griffin of Douglas, offered the following resolution:

Resolved, That the secretary of the territory be requested to have printed, at the time of the printing of the journals, two thousand copies of the report of the school commissioner of common schools, in pamphlet form, for distribution in the territory.
Rules suspended. Resolution taken up.

Mr. Bowen of Washington, moved to amend, by adding the following: "Provided, that the Territory of Nebraska shall in no way be responsible for the cost of such printing.
Adopted.

The resolution, as amended, was adopted.

Council bill No. 77. A bill for an act to amend section eleven of the code of Nebraska, in reference to elections, was taken up.
Read third time. Bill passed and title agreed to.

Council bill No. 83. A bill for an act to locate a territorial road from Nebraska City to New Fort Kearney, was taken up.

On motion of Mr. Reynolds of Otoe, indefinitely postponed.

Council bill No. 84. A bill for an act to bridge the Platte river, at or near Shinn's ferry, was taken up.
Read third time. Bill passed and title agreed to.

House file No. 91. A bill for an act to establish a ferry at the north fork of the Platte river, was taken up.
Read third time. Bill passed and title agreed to.

House file No. 94. A bill for an act to reorganize the county of Buffalo, was taken up.
Read third time. Bill passed and title agreed to.

House file No. 103. A bill for an act to authorize Wm. F. Bailey to keep a mill dam across Noheart creek, Washington county, was taken up.
Read third time. Bill passed and title agreed to.

House file No. 104. A bill for an act to amend the last clause of section four, relative to sheriff's fees, was taken up.
Read third time. Bill passed and title agreed to.

House file No. 117. A bill for an act to authorize Martin Tousley to keep a mill dam across Wood river, was taken up.
Read third time. Bill passed and title agreed to.

House file No. 129. Memorial and joint resolution, was taken up.
Read third time. Bill passed and title agreed to.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
Friday, January 10, 1862.

Mr. Speaker:

I am instructed to return to your honorable body, house file No. 168. An act to provide for the ordinary expenses of the territory, and other general and specific appropriations, with certain amendments thereto attached, and the concurrence of the house is respectfully requested.

ROBT. W. FURNAS, Chief Clerk.

House file No. 134. A bill for an act to locate a territorial road from Rockport to the Florence and Fort Calhoun road, near Ponca creek, was taken up.

Read third time. Bill passed and title agreed to.

House file No. 143. Preamble and joint resolution relative to the protection of the frontier, was taken up.

Read third time. Bill passed and title agreed to.

House file No. 184. A bill for an act for the relief of families of soldiers now in the United States army, was taken up.

Read third time. Bill passed and title agreed to.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
January 10, 1862.

Mr. Speaker:

I am instructed to inform you that the council have passed council bill No. 89. A joint resolution asking secretary of war to station a company of government troops in southern Nebraska. The concurrence of the house is requested.

I am also instructed to return you house file No. 186. A bill for an act for the relief of Thomas Frazier.

Also, house file No. 51. A bill for an act to amend an act to allow the funding of the indebtedness of the territory, the same having passed the council without amendment.

Also, house file No. 189. A bill for an act to attach the counties of Gage and Jones to the tenth councilman district, with the substitute herewith attached.

ROBT. W. FURNAS, Chief Clerk.

House file No. 168. A bill for an act to provide for the ordinary expenses of the territory, and for other general and specific purposes, was taken up.

On motion, the amendments proposed by the council to said bill were concurred in.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
January 10, 1862.

Mr. Speaker:

I am instructed to inform your honorable body, that the council has passed council bill No. 71. A bill for an act supplemental to chapter four of title eighteen of an act establishing a code of civil procedure, approved November 1, 1858. The concurrence of the house is respectfully requested.

I am also instructed to return you house file No. 67. A bill for an act to encourage the cultivation of grapes.

Also, house file No. 144. A bill for an act to vacate certain streets and alleys in Fort Calhoun.

Also, house file No. 37. A bill for an act to attach certain unorganized portions of Nebraska to the first judicial district; the same having passed the council without amendment.

ROBT. W. FURNAS, Chief Clerk.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
January 10, 1862.

Mr. Speaker:

I am instructed to inform your honorable body, that the council have passed council bill No. 96. A bill for an act entitled an act to allow the funding of the indebtedness of the territory. The concurrence of the house is respectfully requested.

ROBT. W. FURNAS, Chief Clerk.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
January 10, 1862.

Mr. Speaker:

I am instructed to inform your honorable body, that the council have passed a substitute for council bill Nos. 10 and 15. A bill for an act providing for the election of judges and clerks of elections, and to define their duties; and the concurrence of the house is respectfully requested. ROBT. W. FURNAS, Chief Clerk.

On motion, the house at 5 o'clock, P. M., took a recess until 7½ o'clock, P. M.

EVENING SESSION—7½ O'CLOCK.

The house met and resumed business.

Mr. Clark of Douglas, moved a call of the house.

Roll called.

Absent—Messrs. Blakely, Cahn, Chalfant, Croxton, Larsh and Leaming.

On motion, the sergeant-at-arms was dispatched after absentees.

The absentees appearing within the bar of the house, on motion, all further proceeding under the call were dispensed with.

Messrs. Chalfant and Beall were excused from attendance for the evening.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
January 10, 1862.

Mr. Speaker:

I am instructed to return you house file No. 165. A bill for an act to vacate the streets and alleys west of Fourteenth street, in Hail & Co.'s addition to Nebraska City, Nebraska Territory.

Also, house file No. 8. A bill for an act in relation to roads, to regulate the disposal of the road fund, and fully to define the duties of supervisors; the same having passed the council without amendment.
ROBT. W. FURNAS, Chief Clerk.

Council bill No. 87. A bill for an act supplemental to an act to organize the Nebraska volunteers, was taken up.
Read first time.
Rules suspended. Bill read second time by its title.

Mr. Griffin of Douglas, moved to strike out section ten.
Lost.
Read third time. Bill passed and title agreed to.

Council bill No. 96. An act to amend an act to allow the funding of the indebtedness of the territory, was taken up.
Read first time.
Rules suspended. Bill read second and third time by its title.
Bill passed and title agreed to.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
January 10, 1862.

Mr. Speaker:

I am instructed to inform your honorable body, that the council have passed substitute for council bill No. 10 and 15. A bill for an act respecting elections.

Council bill No. 97. A bill for an act limiting the drawing of territorial warrants.

The concurrence of the house is requested.
ROBT. W. FURNAS, Chief Clerk.

Mr Wattles of Sarpy, moved that the vote by which council bill No. 51. A bill for an act to suppress jayhawking, was lost, be reconsidered.

Mr. Barnard of Dodge, moved to lay that motion upon the table. Upon which the ayes and nays were demanded, with the following result: -

Ayes—Messrs. Allgawahr, Allen, Barnard, Bowen, Butler, Crothers, Crow, Ewing, Holladay, Porter and Reed—11.

Nays—Messrs. Barnum, Bates, Birchfield, Blakely, Buchanan, Cahn, Chapin, Closser, Clark of Douglas, Clarke of Sarpy, Croxton, Davis, Eikenberry, Griffin, Hagaman, Larsh, Leaming, McLaughlin, Reck, Reynolds, Rowles, Seymour, Wattles and Wiles—24.

Lost.

The question recurring on the motion to reconsider, the ayes and nays were demanded, with the following result:

Ayes—Messrs. Bates, Birchfield, Buchanan, Cahn, Closser, Clark of Douglas, Clarke of Sarpy, Croxton, Davis, Griffin, Hagaman, Larsh, Leaming, McLaughlin, Reck, Reynolds, Reed, Rowles, Seymour, Wattles and Wiles—21.

Nays—Messrs. Allgawahr, Allen, Barnum, Barnard, Blakely, Bowen, Butler, Chapin, Crothers, Crow, Eikenberry, Ewing, Holladay and Porter—14.

Carried.

The question being on its passage, the ayes and nays were demanded, with the following result:

Ayes—Messrs. Bates, Birchfield, Buchanan, Cahn, Closser, Clark of Douglas, Clarke of Sarpy, Croxton, Davis, Griffin, Larsh, McLaughlin, Reck, Reynolds, Rowles, Seymour, Wattles, and Mr. Speaker—18.

Nays—Messrs. Allgawahr, Allen, Barnum, Barnard, Blakely, Bowen, Butler, Chapin, Crothers, Crow, Eikenberry, Ewing, Hagaman, Holladay, Leaming, Porter, Reed and Wiles—18.

Lost.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
January 10, 1862.

Mr. Speaker:

I am instructed to return you house file No. 134. A bill for an act to locate a territorial road.

House file No. 140. A bill for an act to incorporate the Rock Bluff Literary Society, the same having passed the council without amendment.

ROBT. W. FURNAS, Chief Clerk.

Mr. Cahn of Douglas, offered the following resolution:

Resolved, That the house of representatives send their greetings to the Hon. H. P. Downs, lieutenant colonel in the first regiment of Nebraska volunteers, and thank him for his gallant conduct while in service.

Resolved, That the secretary of the territory be requested to transmit a copy of the foregoing resolution, to the gentleman named in the same.

Rules suspended, and the resolutions adopted.

Council bill No. (Substitute.) A bill for an act to attach the counties of Gage and Jones to the council district composed of the counties of Richardson and Pawnee, was taken up.

Read first time.

Rules suspended. Bill read second and third time by its title.

Bill passed and title agreed to

Substitute for council bills Nos. 10 and 15. A bill for an act respecting elections, was taken up.

Read first time.

Rules suspended. Bill read second and third time by its title.

Bill passed and title agreed to.

Substitute for council bills No. 10 and 15. A bill for an act to provide for the election of judges of election, and to define their duties, was taken up.

Read third time.

Rules suspended. Bill read second and third time by its title.

Bill passed and title agreed to.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
January 10, 1862.

Mr. Speaker:

I am instructed to inform your honorable body, that the council have passed council bill No. 98. Joint resolution for the relief of B. Stickles. The concurrence of the house is respectfully requested.

ROBT. W. FURNAS, Chief Clerk.

Council bill No. 98. Joint resolution for the relief of B. Stickles, was taken up.

Read first time.

Rules suspended. Bill read second and third time by its title.

Bill passed and title agreed to.

The following message was received from his excellency the governor, by the hands of his private secretary:

EXECUTIVE CHAMBER,
January 10, 1862.

Mr. Speaker :

I am directed by the governor to inform your honorable body, that he has signed and approved the following bills:

An act to provide for the ordinary expenses of the territory and other general and specific appropriations.

An act to encourage the cultivation of grapes.

An act to vacate certain streets and alleys in the city of Fort Calhoun.

An act to vacate the streets and alleys west of Fourteenth street, in Hail & Co's addition to Nebraska City.

An act to attach certain unorganized portions of Nebraska, to the first judicial district.

An act to amend an act to allow the funding of the indebtedness of the territory.

An act to amend an act entitled an act for the appointment of masters in chancery, approved November 3, 1858.

An act for the relief of Thomas Frazier.

E. P. BREWSTER, Private Secretary.

Mr. Butler of Pawnee, moved that the vote be reconsidered, by which house file No. 52. A bill for an act to legalize the taxes of 1859, 1860 and 1861, was laid on the table.

Carried.

Read third time.

Bill passed and title agreed to.

Mr. Holladay of Nemaha, submitted the following report:

Mr. Speaker :

Your committee, on engrossed and enrolled bills, beg leave to report the following bills as correctly enrolled, and they have this day presented them to the governor for his signature:

An act to amend an act entitled an act for the appointment of masters in chancery, approved November 3, 1858.

An act to amend the act of incorporation of St. Helena.

An act to amend an act entitled an act to authorize Edward P. Stout, and associates, to run and keep a ferry across the Missouri river at Desoto, passed at the first regular session of the legislature of the Territory of Nebraska; and also, an act supplementary to an act to authorize Wm. Chancey and P. C. Sullivan, to keep and run a ferry across the Missouri river at Desoto, in the county of Washington, and Territory of Nebraska.

An act to authorize the county commissioners of Dakota county, to divert a portion of the road fund of said county for a special purpose

An act to confirm the elective franchise to citizens residing temporarily on the Omaha and Pawnee Indian reservations.

An act to vacate the streets and alleys west of Fourteenth street, in Hail & Co's addition to Nebraska City.

An act to encourage the cultivation of grapes.

An act to attach certain unorganized portions of Nebraska to the first judicial district.

An act to amend an act entitled an act to allow the funding of the indebtedness of the territory.

An act to provide for the ordinary expenses of the territory, and other general and specific appropriations.

An act to vacate certain streets and alleys in the city of Fort Calhoun.

An act for the relief of Thomas Frazier.

An act in relation to roads, to regulate the disposal of the road fund, and fully to define the duties of supervisors.

An act to incorporate the Rock Bluff Literary Society.

An act to locate a territorial road from Rockport to the Florence and Fort Calhoun road, near Ponca creek.

A. S. HOLLADAY, Chairman.

MESSAGE FROM THE COUNCIL.

COUNCIL CHAMBER,
January 10, 1862.

Mr. Speaker:

I am instructed to inform your honorable body, that the council have passed the following resolutions: That the council and house of representatives of the Territory of Nebraska, and the eighth session of the legislative assembly of the Territory of Nebraska, will adjourn *sine die* at 12 o'clock to night. I also return you house file No. 129. A memorial and joint resolution relative to a mail route from Dakota to Fort Kearney. The same having passed the council without amendment. ROBT. W. FURNAS, Chief Clerk.

Mr. Griffin of Douglas, offered the following resolution:

Resolved, That a committee of three be appointed to wait upon his excellency the governor, and inform him that this house will adjourn at 12 o'clock, and also to request him to inform this house whether he has any further communication to make to this body.

Rules suspended and the resolution adopted.

Messrs. Griffin, Bowen and Rowles appointed said committe.

Council bill No. 85. A bill for an act to amend an act respecting juries, was taken up.

Read third time.

Bill passed and title agreed to.

The following message was received from his excellency the governor, by the hands of his private secretary:

EXECUTIVE CHAMBER,
January 10, 1862.

Mr. Speaker:

I am directed by the governor, to inform your honorable body, that he has signed and approved the following bills:

An act to amend an act entitled an act for the appointment of masters in chancery.

An act to amend the act of incorporation of St. Helena.

An act to authorize the county commissioners of Dakota county to divert a portion of the road fund of said county, for a special purpose.

An act to amend an act entitled an act to authorize Edward P. Stout and associates, to run and keep a ferry across the Missouri river at Desoto, passed at the first regular session of the legislature of the Territory of Nebraska; and also, an act supplementary to an act entitled an act to authorize Wm. Chancey and P. C. Sullivan to keep and run a ferry across the Missouri river at Desoto, in the county of Washington, Territory of Nebraska.

An act to confirm the elective franchise to citizens residing temporarily on the Omaha and Pawnee Indian reservations.

An act to locate a territorial road from Rockport to the Florence and Fort Calhoun road, near Ponca creek.

E. P. BREWSTER, Private Secretary.

The following message was received from his excellency the governor, by the hands of his private secretary:

EXECUTIVE CHAMBER,
January 10, 1862.

Mr. Speaker:

I am directed by the governor to inform your honorable body, that he has signed and approved the following bills:

An act to attach a part of Polk county to that of Platte.

An act to restrain hogs from running at large in certain precincts in Dakota county.

An act to vacate block number ten, in the town of Ponca, in Dixon county.

An act to amend an act entitled an act to incorporate Bellevue City, approved March 15, 1855.

An act to provide for copying the journals of the house of representatives and council for the eighth session of the legislative assembly.

An act to restrain stock from running at large in the counties of Douglas, Sarpy, Hall and Cuming.

An act changing the name of Cutts' addition to River addition.

An act to define the boundaries of Burt, Cuming and Stanton counties. E. P. BREWSTER, Private Secretary.

Mr. Bowen of Washington, introduced house file No. 191. Joint resolution.

Read first time.

Rules suspended. Bill read a second and third time by its title.

Bill passed and title agreed to.

Mr. Holladay of Nemaha, submitted the following report:

Mr. Speaker:

The committee on engrossed and enrolled bills, report that the following bills are correctly enrolled, and presented to the governor for his approval:

Memorial and joint resolution relating to a mail route from Dakota City to Fort Kearney.

Joint resolution relative to the accounts of the late territorial treasurer. A. S. HOLLADAY, Chairman.

Mr. Clark of Douglas, offered the following resolution:

Resolved, That the thanks of the house are due to the honorable A. S. Holladay, for the faithful services as chairman on enrolled and engrossed bills.

Rules suspended, and the resolution adopted.

The following message was received from his excellency the governor, by the hands of his private secretary:

EXECUTIVE CHAMBER,
January 10, 1862.

Mr. Speaker:

I am directed by the governor to inform your honorable body, that he has signed and approved the following bills:

Joint resolution relating to the accounts of the late territorial treasurer.

An act for a memorial and joint resolution relative to a mail route.

E. P. BREWSTER, Private Secretary.

The committee appointed to wait upon his excellency the governor, reported that the governor had no further communications to make.

The hour of 12 o'clock having arrived, the speaker arose and said:

Gentlemen of the House of Representatives:

The hour has arrived when our relations both personal and political are to be severed.

I congratulate you on the consummation of much good feeling, and the many endearing relations which have necessarily arisen and resulted from our daily intercourse, and social and legislative co-operations within this hall, and hope the many happy remembrances here created may prove to be of everlasting endurance.

I embrace this, the last occasion on which I shall have the honor of addressing you from this chair, to make my grateful acknowledgment for the uniform courtesy and kindness you have extended towards me as your presiding officer. Difficult and trying as has been the position, its labors have been greatly diminished by the timely and cordial support you have so generously given me. The dignity and decorum that have marked your deliberations during the present session, will compare most favorably with any of your predecessors. To this fact, I attribute whatever of success I may have attained in this chair.

The vote of thanks which you have this day so generously given to me, and the attention, assistance and councils which you have tendered me in times of perplexity and doubt, during our sittings, gives to me the assurance that my administration has been acceptable to you, and for that I thank you.

I have throughout the session sought most earnestly to do equal and exact justice to all individuals, parties and sections, and if I have failed in the purpose through error or prejudice, I now crave your pardon. Trusting, gentlemen, that our deliberations here may realize for this terrritory the most prosperous development of all its immense resources, and meet out to all sections their just and equal rights, as far as within our power to procure them, and invoking upon you through life the richest rewards for your labors in behalf of your several constituencies, and your kindest apparent regards for your speaker, I bid you farewell, and perform my last official act, by declaring the eighth session of the legislative assembly of Nebraska adjourned *sine die.*

A. D. JONES, Speaker.

Attest:—GEO. L. SEYBOLT, Chief Clerk.

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